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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

DEC - 3 2003

SAN FRANCISCO
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Tuesday, January 21, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Ammiano, McGoldrick	2nd, 3rd and 4th Tuesday 1:00 PM
City and School District Committee Supervisor Ammiano, Commissioner Wynns, Commissioner Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair. Second-named Supervisor/Commissioner is Vice-Chair. of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Ammiano, McGoldrick, Newsom - 3

Quorum present.

Supervisors Ammiano and McGoldrick were noted present at 2:04 p.m.

APPROVAL OF MEETING MINUTES

There were none.

COMMUNICATIONS

There were none.

Supervisor Newsom excused from Attendance

Supervisor Daly, seconded by Supervisor Ma, moved to excuse Supervisor Newsom from attending today's meeting. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 3 - Ammiano, McGoldrick, Newsom

Privilege of the Floor

Supervisor Hall, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

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Supervisor Hall introduced, welcomed and presented a Certificate of Honor to Herbert Hammerall celebrating his 100th Birthday.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to members of the Local for Chinese Garment Workers.

CONSENT AGENDA

Recommendations of the Finance Committee

021984 **[HIV Care and Related Services for Women and Minorities]**
Supervisors Daly, Gonzalez

Resolution authorizing the San Francisco Department of Public Health (SFDPH) AIDS Office (AO) to accept and expend the second year of a grant in the amount of $650,000 from the DHHS Office of Minority Health (DHHS OMH) to improve AIDS related health outcomes for women and minorities and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as a co-sponsor.
Resolution No. 31-03
ADOPTED

022051 **[Transfer State funds for contract services to improve access to mental health treatment for children in foster care /other children placed outside of San Francisco]**
Resolution endorsing the transfer of State general funds from the State to the California Mental Health Directors Association for a contract to provide services to foster care and other Medi-Cal eligible children placed outside of San Francisco, for the period of July 1, 2002 through June 30, 2003. (Public Health Department)

(Public Benefit Recipient.)

Resolution No. 33-03
ADOPTED

Recommendations of the Rules and Audits Committee

022048 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Scott Nisbet and Daniel David against the City and County of San Francisco and AT&T Corporation in exchange for a waiver of costs by San Francisco; the lawsuit was filed on February 19, 2002 in San Francisco Superior Court, Case No. 02-404691; entitled Nisbet and David v. AT&T Corp. and the City and County of San Francisco; other material terms of said settlement are that AT&T will pay costs and fees to plaintiffs' counsel, and will provide pre-paid telephone calling cards with a value of $50,000 for free distribution in San Francisco; these cards will be distributed through the San Francisco Convention and Visitors Bureau, the San Francisco Department of Public Health, and the San Francisco Department of Human Services. (City Attorney)

(No Public Benefit Recipient.)

PASSED, ON FIRST READING

021944 **[Appointment]**

Resolution appointing Carla Hollis, term ending January 31, 2006, and Godofredo Gomez, Ralph Gibson, Bud Wilson, and Aaron Zeff, terms ending January 31, 2007, to the Veterans Affairs Commission.

Godofredo Gomez, succeeding Carla Hollis, term expired, seat 1, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Carla Hollis, succeeding C. J. O'Mara, term expired, seat 5, must be a woman veteran, for the unexpired portion of a four-year term ending January 31, 2006;
Ralph Gibson, succeeding Vincent Rios, term expired, seat 7, must be a person who served in the Armed Forces of the United states of America and is suffering under a physical disability arising from that service, in accordance with the definitions applied in such cases by the Veterans' Administration, for a new four-year term ending January 31, 2007;
Bud Wilson, succeeding himself, term expired, seat 8, must be an at-large appointment, for a new four-year term ending January 31, 2007;
Aaron Zeff, succeeding himself, term expired, seat 11, must be an at-large appointment, for a new four-year term ending January 31, 2007.

Resolution No. 30-03
ADOPTED

022054 **[Appointment]**
Supervisor Daly

Resolution appointing Kim Schoen, Barbara Blong, Gay Kaplan, and Merle Malakoff, terms to be determined, to the Homeless Senior Task Force, residency requirement waived.

Kim Schoen, new position, seat 5, must be familiar with disability issues, term to be determined;
Barbara Blong, new position, seat 6, must have expertise in transitional housing especially shelter operations, term to be determined;
Gay Kaplan (residency requirement waived), new position, seat 7, must have expertise in the development of permanent affordable housing, term to be determined;
Merle Malakoff, new position, seat 8, must have expertise in the development of permanent affordable housing, term to be determined.

Supervisor Daly requested to be added as sponsor.

Resolution No. 27-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

030028 **[Adopting findings related to the conditional use appeal on property located at 2444-2454 Noriega Street]**
Motion adopting findings related to the appeal of the approval of the Director of Planning, serving as the Planning Commission during last year's Planning emergency, of Conditional Use Application No. 2002.0736C (which authorized, subject to conditions, the installation of three antennas within a rooftop mounted cylinder radome, one GPS antenna mounted to the roof, and four associated equipment cabinets within the ground floor storage room of the one-story commercial building as part of the wireless telecommunications network operated by MetroPCS) within an
NC-2 (Small-Scale Neighborhood Commercial) Zoning District and a 40-X Height and Bulk District, pursuant to Section 711.83 of the Planning Code, on property located at 2444-2454 Noriega Street, north side between 31st and 32nd Streets (Lot 004F in Assessor's Block 2018). (Clerk of the Board)

(Companion measure to Files 021872, 021873, 021874, 021875.)

Motion No. M03-9
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Recommendations of the Finance Committee

021804 **[Garbage Collection Truck Licensing Fee]**

Ordinance increasing the licensing fee for garbage trucks and the amount deposited into the Mandatory Refuse Collection Service Fund by amending Section 249.6 of the San Francisco Business and Tax Regulations Code and Section 10.100-7 of the San Francisco Administrative Code and ratifying past actions taken in connection with such licensing fee. (Public Health Department)

(No Public Benefit Recipient.)

Ordinance No. 7-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021856 **[Providing for a new complaint procedure for the enforcement of the prevailing wage requirements]**
Supervisors Ammiano, Peskin, Maxwell, Daly, McGoldrick, Dufty

Ordinance adding Subsection 6.24(C) to San Francisco Administrative Code, Chapter 6, Article 11, Section 6.24 to establish a procedure for the Labor Standards Enforcement Officer's administration of complaints in the enforcement of prevailing wage requirements.

Supervisor Dufty requested to be added as a co-sponsor.

Ordinance No. 8-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021911 **[MOU, H-1 Fire Rescue Paramedics, Local 790]**
Mayor

Ordinance adopting and implementing the terms of the Memorandum of Understanding between the Service Employees International Union, Local 790 for H-1 Fire Rescue Paramedics and the City and County of San Francisco to be effective for the period July 1, 2001 through June 30, 2003. (Mayor)

Ordinance No. 9-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Recommendations of the Rules and Audits Committee

020392 **[Webpage Enhancement and Maintenance for the Board of Supervisors]**
Supervisors Sandoval, Daly

Motion amending Rules of Order of the Board of Supervisors by adding Rule 6.22, which will direct the Clerk of the Board of Supervisors to provide and maintain enhancements to the Webpage of the Board of Supervisors, and allow individual Supervisors privately to maintain a linked Webpage to be used in furtherance of the conduct of the City's business.

Motion No. M03-10
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

020913 **[Amending the Appointment Process for the Child Care Planning and Advisory Council and Establishing Child Care Planning Advisory Council Account]**
Supervisor Maxwell

Ordinance amending the San Francisco Administrative Code by amending section 5.200 to: (1) provide that the Board of Supervisors appoints 15 members of the Child Care Planning and Advisory Council ("Council") and that the Board of Education, or County Superintendent of Schools, if the Board of Education delegates the appointment power to her or him, appoints 15 members of the Council and to; (2) amend compensation provisions for Council members to provide for compensation for all members who are not otherwise compensated for attending committee meetings; and amending the San Francisco Administrative Code by adding section 10.100-367 to establish the Child Care Planning and Advisory Council Fund.

Ordinance No. 6-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021815 **[Publication of Annual Reports - Amend Administrative Code Sections 1.56 and 8.16]**
Supervisors Daly, Ma

Ordinance amending Administrative Code Sections 1.56 and 8.16 to require that department heads, boards and commissions post annual reports on the City's website, and prohibiting departments, boards and commissions from publishing hard copies of such reports without approval of the Board of Supervisors.

Ordinance No. 14-03
FINALLY PASSED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Peskin, Sandoval
Noes: 2 - Maxwell, McGoldrick
Absent: 1 - Newsom

021937 **[Settlement of Lawsuit]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by plaintiff the Department of Fair Employment and Housing and intervening plaintiff Alane Bernadette Baca against the City and County of San Francisco and Andrew Blackwell for (1) payment of $100,000.00, including all damages, attorneys' fees and costs, (2) a credit of six (6) weeks of sick leave to intervening plaintiff Baca, and (3) the Police Department issuing a specified Department Bulletin, incorporating that Bulletin into specified EEO trainings, and beginning the process of reviewing and, where applicable, revising Department General Order 11.07; the lawsuit was filed on October 4, 2001, in San Francisco Superior Court, Case No. 325-126; entitled Department of Fair Employment and Housing, et al., v. City and County of San Francisco, et al (Real Party in Interest: Alane Bernadette Baca). (City Attorney)

(Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

Ordinance No. 10-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021938 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuits filed by William J. Sepatis against the City and County of San Francisco for $100,000; the lawsuit under US District Court Case No. C00-2299 MHP filed on May 31, 2000 and the lawsuit under US District Court Case No. C00-1626 MHP filed on May 8, 2000 were consolidated, entitled William James Sepatis v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 11-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021986 **[Settlement of Litigation]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Haruo Abe by accepting the total amount of $21,250 plus interest as provided in the settlement and Mutual Release and directing its attorney to sign the dismissal with prejudice of the subject litigation upon completion of all of the terms of the settlement agreement. (Treasurer-Tax Collector)

(No Public Benefit Recipient.)

Ordinance No. 12-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021987 **[Settlement of Litigation]**

Ordinance authorizing settlement of litigation by the City and County of San Francisco against Hartford Properties, a California Corporation Linda L. Servis and Helen Parduhn Marshall, individuals by accepting the total amount of $25,000 directing its attorney to sign the Payment Agreement, Settlement and Release. (Treasurer-Tax Collector)

(Public Benefit Recipient.)

Ordinance No. 13-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

NEW BUSINESS

From Finance Committee "Without Recommendation"

021599 **[Approval of Ferry Building Sublease Agreement]**
Supervisor Peskin

Resolution approving Sublease between Ferry Building Associates, LLC, as sublandlord, and San Francisco Port Commission, as subtenant, for the Port Commission Hearing Room and Ancillary Premises, located in the Ferry Building.

(Fiscal impact; No Public Benefit Recipient.)

Supervisor Sandoval, seconded by Supervisor Gonzalez, moved to continue this item to January 27, 2003.

Motion failed by the following vote:
Ayes: 3 - Gonzalez, McGoldrick, Sandoval
Noes: 7 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Peskin
Absent: 1 - Newsom

Resolution No. 28-03
ADOPTED by the following vote:
Ayes: 7 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin
Noes: 3 - Daly, Maxwell, Sandoval
Absent: 1 - Newsom

Recommendations of the Rules and Audits Committee

020969 **[Prohibition on Use of Public Funds for Printed Greeting Cards]**
Supervisors Daly, Peskin, Ma, Gonzalez

Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail printed greeting cards.

Supervisors Peskin, Ma and Gonzalez requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021791 **[Preservative-treated Wood Containing Arsenic]**
Supervisors Peskin, Sandoval, Daly, Ma, Gonzalez, Maxwell

Ordinance amending the San Francisco Administrative Code by adding Chapter 21G, requiring all City Departments and Contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible citywide ban on preservative-treated wood containing arsenic.

Supervisors Daly, Ma, Gonzalez and Maxwell requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021853 **[Extending the Existence of the CEDAW Task Force]**
Supervisors Maxwell, Daly, Ma, Peskin, Sandoval, Gonzalez

Ordinance amending San Francisco Administrative Code by amending Section 12K.5 to change the expiration date of the Convention to Eliminate all forms of Discrimination Against Women ("CEDAW") Task Force from December 31, 2002 to June 30, 2003.

Supervisors Daly and Ma requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

021943 **[Appointment]**

Resolution appointing Janet Reilly, Robert McDonnell, Leah Shahum, and Maryanne Harrison, for a term subject to review and affirmation on January 31, 2005, to the Golden Gate Bridge, Highway and Transportation District.

Janet Reilly, succeeding Joseph Blue, seat 1, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Robert McDonnell, succeeding himself, seat 2, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Leah Shahum, succeeding herself, seat 3, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005;
Maryanne Harrison, succeeding herself, seat 4, must represent the public at large, for a two-year term subject to review and affirmation by the Board of Supervisors by January 31, 2005.

Supervisor Maxwell, seconded by Supervisor Ammiano, moved to amend by replacing the appointment of Janet Reilly with the appointment of Joseph Blue.
Failed adoption by the following vote:
Ayes: 2 - Ammiano, Maxwell
Noes: 7 - Peskin, Sandoval, Daly, Dufty, Gonzalez,Hall, Ma
Absent: 2 - McGoldrick, Newsom

Supervisor Daly moved to amend by replacing the appointment of Robert McDonnell with the appointment of Joseph Blue. Motion failed for lack of a second.

Resolution No. 29-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Noes: 2 - Daly, Maxwell
Absent: 1 - Newsom

030011 **[Appointment]**

Resolution appointing Sara Desumala, term ending on December 31, 2004, to the Developmental Disabilities Area Board V.

Sara Desumala, succeeding herself, term expired, seat 2, must have a demonstrated interest and leadership in human services, for the unexpired portion of a three-year term ending December 31, 2004.

Resolution No. 34-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Supervisor Ammiano Excused from Voting

Supervisor Peskin, seconded by Supervisor Hall, moved to excuse Supervisor Ammiano from voting. The motion carried by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - Ammiano

030012 **[Appointment]**

Resolution appointing Supervisor Tom Ammiano as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Resolution No. 35-03

ADOPTED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - Ammiano

Supervisor Hall Excused from Voting

Supervisor Peskin, seconded by Supervisor Dufty, moved to excuse Supervisor Hall from voting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - Hall

030015 **[Appointment]**

Resolution appointing Supervisor Tony Hall as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Resolution No. 36-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - Hall

Supervisor Maxwell Excused from Voting

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to excuse Supervisor Maxwell from voting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - Maxwell

030017 **[Appointment]**

Resolution appointing Supervisor Sophie Maxwell as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Resolution No. 37-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - Maxwell

Supervisor McGoldrick Excused from Voting

Supervisor Dufty, seconded by Supervisor Peskin, moved to excuse Supervisor McGoldrick from voting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - McGoldrick

030019 **[Appointment]**

Resolution appointing Supervisor Jake McGoldrick as a member of the Board of Directors, Golden Gate Bridge Highway and Transportation District.

Resolution No. 38-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Peskin, Sandoval
Absent: 1 - Newsom
Excused: 1 - McGoldrick

022015 **[Amending Rules of Order 3.9 - Roll Call Requests]**

Supervisors Gonzalez, Daly

Motion amending Rule 3.9 of the Rules of Order of the Board of Supervisors to allow Supervisors to make Roll Call requests for introduction at alternate Board meetings beginning in February of 2003.

Supervisor Daly requested to be added as a co-sponsor.

Motion No. M03-7

APPROVED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Peskin, Sandoval
Noes: 1 - Maxwell
Absent: 1 - Newsom

022026 **[Amending the Rules of Order of the San Francisco Board of Supervisors]**

Motion amending Rules 1.1, 2.9, 2.18, 3.7, 3.8, 3.11, and 5.35 of the Rules of Order of the Board of Supervisors to reflect the change of the regular meeting day from Monday to Tuesday and deadlines related thereto. (Clerk of the Board)

Amended on page 2, line 10, after "legislation" by inserting "from Departments and other City agencies"; and further amended on page 3, line 2, by replacing "9:00 a.m." with "12:00 noon"; and further amended on page 3, lines 12 and 19, by replacing "9:00 a.m." with "12:00 noon".

Supervisor Daly, seconded by Supervisor Sandoval, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Motion No. M03-11

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

022040 **[FY 2002-2003 and FY 2003-2004 Budgets]**
Supervisors Maxwell, Daly

Hearing on FY 2002-2003 and FY 2003-2004 budgets at a Committee of the Whole on January 13, 2003. The hearing will include reports from the Controller and the Mayor's Budget Office on mid-year budget reduction proposals, the most current budget projections for the City, and potential impacts for San Francisco from the State budget shortfall.

Supervisor Maxwell reviewed with the Board the 2002-2003 and 2003-2004 budget outlook. She introduced Monique Zumuda, Controller's Office and Ben Rosenfield, Mayor's Office.

Monique Zumuda, Assistant Controller and Ben Rosenfield Mayor's Budget Director presented reports on the current 2002-2003 financial condition, the 2003-2004 budget projections and the impact of proposed cuts from the State of California.
The Board engaged in a question and answer with the Ms. Zumuda and Mr. Rosenfield reviewing issues relating to solutions to the projected budget deficit.

President Gonzalez inquired if there was anyone present who wished to address the Board.
Female Speaker; budget solutions
Ernestine Weiss; budget revenue solutions
Jody Monoghan; Environmental Officer against the elimination of these positions
Male Speaker: against increasing of parking fines
Mary Anderson; Environmental Officer against the elimination of these positions
Jeffrey Lieberwitz; tax payer support of Environmental Officer
Male Speaker; Environmental Officer against the elimination of these positions
Gail Neira.; budget solutions
Patricia Boyd; Cowhollow resident asked that if cuts are made to city services that they be fair and felt by all neighborhoods
Francisco Gomez; Environmental Officer against the elimination of these positions
Espanola Jackson; information from PUC regarding outside SF users
Denise Diana, former City employee; budget issues
Daja Bowler; Environmental Officer issues
John Bardis; President Gonzalez recognized former Supervisor Bardis and thanked him for his donation to the Harvey Milk Monument. Mr. Bardis informed the Board that no reports were available prior to the meeting and requested that this item be continued. He encouraged the Board to reduce positions and freeze salaries to reduce the budget deficit.

The President declared the Public Comment portion of the meeting closed.

Supervisor Daly requested to be added as a co-sponsor.
HEARD AT PUBLIC HEARING.

SPECIAL ORDER 3:00 P.M.

022020 **[Public Hearing - Appeal, Supplemental EIR for the San Francisco Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]**

Hearing of persons interested in or objecting to the Planning Commission certification of the Final Supplemental Environmental Impact Report, Planning Case No. 94.155E, for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco. (Clerk of the Board)

(Appeal filed December 11, 2002; companion measure to Files 022020, 022021, 022022, 022023.)

Gerald Green, Director of Planning and Paul Maltzer, Department of Planning Representative reviewed with the Board the Planning Commission's recommendation.

Appellant's Attorney, Stewart Flashman; support appellant
Professor Mike Cortez; support appellant
L. St. John; support appellant
Robert Botta; support appellant
Leslie Cowan; support appellant
Ross Klein; support appellant
Tim Eichenberg, Oceania; support appellant
Teri Shore, Bluewater Network; support appellant
Dolph Helman; support appellant, resident of the area surrounding proposed cruise terminal
Earl Gee; support appellant
Kieran Darby; resident and business owner in the area surrounding proposed cruise terminal
Ernestine Weiss; support appellant
Peter Tamara; support appellant
Barabar Inaba; support appellant
Mr. Hernandez; support appellant

Byron Rhett, Port Representative; project sponsor
Paul Maltzer, Department of Planning Representative, project sponsor

Board members reviewed and discussed issues with the Department of Planning representatives.

Jeffrey Lieberwitz; support project sponsor (Supervisor Peskin informed the speaker that the Board is complying with State Law by holding this hearing.)
Catherine Cooper; support project sponsor
Female Speaker; support project sponsor
Gail Neira; support project sponsor
Richard Dickerman; support project sponsor
Jim Haas; support project sponsor
Steve Reilly, Owner of Red's Java House; support project sponsor
Henry Graham, President/Local 10; support project sponsor
Lee Sandall; Longshoreman's Local
Michael Sweep; support project sponsor

A rebuttal period was allowed.

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

022021 **[Affirming Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]**

Motion affirming Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco. (Clerk of the Board)

Motion No. M03-8

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

022022 **[Reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project.]**

Motion reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

022023 **[Preparation of findings reversing the Planning Commission certification of the FSEIR for the S.F. Cruise Terminal Mixed Use Project and Brannan Street Wharf Project]**

Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission certification of the Final Supplemental Environmental Impact Report for a proposed mixed-use cruise terminal facility/residential project, located on Piers 30-32 and Seawall Lot 330 and a public open space project, in the location of Piers 34 and 36, in the Port of San Francisco, in the City and County of San Francisco. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdulla Megahed; general issues, peace, homeless
John Kelly; statistics on homeless people dying on City streets
Esponola Jackson; parking fines
Robert Botta; Father Peter Sammon
Myrna Lim; affirmative action
Jeffrey Washington; concern over diversity actions
Andrew Bozeman; budget issues/solutions
Female Speaker; Tuesday broadcast on KPOO
Robert Boyd; concerned over appointment of GG Bridge appointment (City Attorney informed the speaker that he can only speak on items not on the agenda for action)
Francisco De Costa; air quality

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

030073 **[Legislative Analyst Request - Serial Inebriation]**
Supervisors McGoldrick, Maxwell

Motion requesting the Legislative Analyst to analyze the best practices of other local jurisdiction with regard to dealing with the problem of serial inebriation in public and evaluating the effectiveness of such programs in reducing the incidence of repeated public inebriation by the same persons. Please consider the interagency program operated by the City of San Diego called the Serial Inebriate Program (SIP). In-depth report on this topic, delivered by May 2003.

Supervisor Maxwell requested to be added as a co-sponsor.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

030074 **[Legislative Analyst Request - Legislators Retreats]**
Supervisors Maxwell, Daly

Motion requesting the Legislative Analyst to research on how other cities and counties determine space and time for local legislators to conduct retreats. In particular, examine how the Cities of Richmond and Redwood City, California, and Reno, Nevada conduct legislative retreats. Sponsor requests this report by March 7, 2003.

Supervisor Daly requested to be added as a co-sponsor.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

030077 **[Legislative Analyst Request - Update File Number 011590]**
Supervisor Daly

Motion requesting the Legislative Analyst to update File Number 011590 (Leno) related to the Digital Divide, with specific emphasis on the City's progress in addressing the Digital Divide. Please complete this report by February 13, 2003.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

030078 **[Legislative Analyst Request - Cruise Ship Terminal at Piers 30 and 32]**
Supervisor Daly

Motion requesting the Legislative Analyst to examine the regulatory process for approval of the proposed Cruise Ship Terminal at Piers 30 and 32, provide analysis of state legislation that has been approved and may be proposed regarding this site, describe efforts in other communities to plan for cruise terminals and to provide guidance to City staff in advance of regulatory approvals at the Board of Supervisors. Please provide an initial report no later than February 13, 2003 and continue working until legislation is adopted.

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

From Rules and Audits Committee "Without Recommendation"

CLOSED SESSION

021541 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for $107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Continued to January 27, 2003

Supervisor Daly, seconded by Supervisor Dufty, moved that this Ordinance be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

CLOSED SESSION

030033 **[Existing Litigation - Realty Equities, Inc. v. San Francisco]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation filed against the City and County of San Francisco by plaintiffs who have challenged the validity of an appeal from a Planning Commission decision granting a conditional use authorization, which decision was reversed by the Board of Supervisors on appeal, regarding a proposed demolition of an existing motel (Lanai Motel) and construction of a four story tourist hotel at 2361 Lombard St.

Realty Equities, Inc. v. San Francisco
San Francisco Superior Court No. 314-332, filed 8/14/00

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

Continued to January 27, 2003

Supervisor Daly, seconded by Supervisor Dufty, moved that this Litigation be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 44 through 57

022044 **[Supporting Assembly Bill 18]**
Supervisors Dufty, Ammiano, McGoldrick, Peskin

Resolution supporting Assembly Bill 18, eliminating the preemption clause of the State Fair Employment and Housing Act.

Supervisor Peskin requested to be added as a co-sponsor.

Resolution No. 32-03
ADOPTED

030058 **[Honoring Mayor Massimo Mallegni and Honorable Cultural Assessor Massimilano Simoni]**
Supervisors Ammiano, Hall

Resolution honoring the Honorable Mayor Massimo Mallegni and the Honorable Cultural Assessor Massimilano Simoni for their participation in the "1st International Marble Mosaic Competition" which will be held in both San Francisco and Pietrasanta on September 27th and 28th, 2003.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 39-03
ADOPTED

030059 **[Taking stand against hate crime at Women's Building]**
Supervisors Ammiano, Dufty, Daly

Resolution taking a stand against the intolerable hate crime attacks done to the Women's Building, and asking anyone with information about the attacks to contact the Mission Police Station.

Supervisors Dufty and Daly requested to be added as co-sponsors.

Resolution No. 40-03
ADOPTED

030060 **[Supporting operations of California Coastal Commission]**
Supervisor Peskin

Resolution supporting the continued operation of the California Coastal Commission and urging State government to modify appointment procedures of the Commission so that it may continue its good work implementing the State of California's coastal protection program in perpetuity.

Resolution No. 54-03
ADOPTED

030061 **[Authorize DPT Grant of $400,000 to establish a Motorist Information System]**
Supervisors Newsom, Dufty

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of $400,000 from the California Department of Transportation (Caltrans) to establish a Motorist Information System.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 41-03
ADOPTED

030062 **[Authorize DPT Grant of $360,000 from Hazard Elimination Program]**
Supervisor Newsom

Resolution authorizing the Department of Parking and Traffic to accept and expend a grant in the amount of $360,000 from the Hazard Elimination Safety Program to implement an emergency vehicle priority system at the 20 to 30 most critical intersections surrounding the five busiest fire stations in the City - the Financial District, Chinatown, Moscone Center, Civic Center and Mission Bay.

Resolution No. 42-03
ADOPTED

030063 **[Urging San Francisco Redevelopment Agency Commission to change meeting day from Tuesday to Monday]**
Supervisor Gonzalez

Resolution urging the San Francisco Redevelopment Agency Commission to move its regularly scheduled meeting time from Tuesday to Monday.

Resolution No. 55-03
ADOPTED

030064 **[Urge State Legislature to adopt Domestic Rights and Responsibilities Act]**
Supervisors Ammiano, Daly, Dufty, Gonzalez, Newsom, Peskin, McGoldrick, Maxwell

Resolution urging the State Legislature to adopt the Domestic Partner Rights and Responsibilities Act of 2003.

Supervisor Maxwell requested to be added as a co-sponsor.

Resolution No. 43-03
ADOPTED

030065 **[Recognizing Ging P. Bill Wong]**
Supervisor Peskin

Resolution recognizing Mr. Ging P. Bill Wong's 36-year career at the Federal Highway Administration of the U.S. Department of Transportation and his dedicated service on their behalf to our City and declaring January 15, 2003 to be the "Bill Wong Day" in San Francisco.

Resolution No. 44-03
ADOPTED

030066 **[Commending Coastal Conservancy]**
Supervisor Peskin

Resolution commending the Coastal Conservancy for its financial support for Sail San Francisco 2002 and encouraging the Coastal Conservancy's support for similar future events.

Resolution No. 45-03
ADOPTED

030067 **[Commending Most Reverend Ignatius Wang]**
Supervisors Ma, Hall, Gonzalez

Resolution commending the Most Reverend Ignatius Wang on his appointment as Titular Bishop of Sitipa and Auxiliary Bishop of San Francisco.

Supervisors Hall and Gonzalez requested to be added as co-sponsors.

Resolution No. 46-03
ADOPTED

030068 **[Commending San Francisco University High School Girls' Volleyball Team]**
Supervisors Ma, Maxwell, Dufty

Resolution commending the San Francisco University High School Girls' Volleyball Team for their achievements in the Bay Counties League (BCL) and the State Championships.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 47-03
ADOPTED

030069 **[Commending Robert Wertz]**
Supervisors Newsom, Dufty

Resolution commending Robert Wertz upon his retirement after serving the youth and families of San Francisco for over 31 years.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 48-03
ADOPTED

030079 **[Commending San Francisco University High School Girls' Cross Country Team]**
Supervisors Ma, Maxwell, Dufty, Gonzalez

Resolution commending the San Francisco University High School Girls' Cross Country Team for their achievements in the Bay Counties League (BCL) and the State Championships.

Supervisors Dufty and Gonzalez requested to be added as co-sponsors.

Resolution No. 49-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Severed From Without Committee Reference Agenda

Supervisor Hall requested that this matter be severed so that it could be considered separately.

022047 **[Opposing USA PATRIOT Act]**
Supervisors McGoldrick, Sandoval, Daly, Peskin, Maxwell, Gonzalez

Resolution opposing the USA PATRIOT Act and related Executive Orders.

President Ammiano, seconded by Supervisor Daly, moved to suspend Rules of Order No. 2.11. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Supervisors Maxwell and Gonzalez requested to be added as co-sponsors.

Resolution No. 53-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Hall
Absent: 1 - Newsom

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Daly, seconded by President Ammiano, moved ADOPTION of the Commendary Finding Act. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Daly, seconded by President Ammiano, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

030092 **[Japanese Bilingual Bicultural Program]**
Supervisor Gonzalez

Resolution recognizing the Thirtieth Anniversary of the Japanese Bilingual Bicultural Program.

Resolution No. 50-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030088 **[MOU, Local 790, for staff nurses and per diem nurses]**
Supervisor Newsom

Ordinance adopting and implementing an amendment to the 2000-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, Local 790, AFL-CIO for staff nurses and per diem nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.

(Fiscal impact.)
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030089 **[MOU, Local 856 for Supervising Nurses]**
Supervisor Newsom

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.

(Fiscal impact.)
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030093 **[Funding for the sale of lease-revenue bonds for citywide equipment]**
Mayor

Ordinance appropriating $5,229,072 from the sale of lease-revenue bonds by the San Francisco Finance Corporation to fund purchase of equipment citywide for fiscal year 2002-03. (Mayor)

(Fiscal impact.)
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030094 **[Funding for job transition services for laid-off or displaced employees]**
Mayor

Ordinance re-appropriating $300,000 in salary savings for the Department of Human Resources for a city-wide program of job transition services for laid-off or displaced employees for fiscal year 2002-03. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030118 **[Settlement of Lawsuit]**
Supervisors Gonzalez, Peskin, Daly, Newsom

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030095 **[Recreation and Parks -- Fees]**
Mayor

Ordinance amending the San Francisco Park Code by amending Sections 7.16 and 7.18 to require a cleaning deposit and reimbursement for costs for the use of park facilities; amending Sections 12.05, 12.07, 12.20, and adding Sections 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27 to increase the fees charged for the use of Recreation and Park facilities for weddings, events, picnics, photography and filming, encroachment, for parking on the Golden Gate Park Concourse and for classes at the Sharon Arts Studio; adding Section 12.28 authorizing the Recreation and Park Commission to develop policies and procedures to allow the General Manager to reduce or waive fees in the case of demonstrated financial hardship; and adding Section 12.29 to impose an administrative overhead charge to be determined annually by the Controller. (Mayor)
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030096 **[Establishing parking violation and late payment penalties]**
Mayor

Ordinance amending the San Francisco Traffic Code by amending Sections 130 and 131 and adding Section 132 to establish fines for parking violations and late payment penalties. (Mayor)
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030097 **[Designate the 1338 Filbert Street Cottages as a Landmark]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall

Ordinance amending Appendix A of Planning Code Article 10 to designate the 1338 Filbert Street Cottages as Landmark No. 232.
1/21/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030045 **[Amending the Annual Salary Ordinance to expedite appointments by elected officials]**
Supervisor Daly

Ordinance amending the Annual Salary Ordinance to provide that elected officials enumerated in Article II and Section 6.100 of the San Francisco Charter may make appointments to permanent positions upon (1) verification by the Human Resources Director that the positions have been legally established and that the appointment is consistent with the Charter and applicable Civil Service Rules and (2) certification by the Controller that sufficient funds are available; and specifying that such appointments do not require approval by the Mayor.

(1/23/03 in Board: Supervisor Daly submitted a substitute ordinance approved as to form, bearing same title.)
1/13/03, RECEIVED AND ASSIGNED to Finance Committee.
1/21/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance approved as to form, bearing same title.
1/21/03, ASSIGNED to Finance Committee.

030099 **[Extending annual condominium conversion limitation]**
Supervisor McGoldrick

Ordinance amending the San Francisco Subdivision Code Article 9, section 1396 to extend the annual condominium conversion limitation for two additional years.
1/21/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. Sponsor requests that the Board President determine that this measure may be considered before the expiration of 30 days, as allowed under Rule 5.40 of the Board of Supervisors Rules of Order, because the measure simply continues existing City policy and does not create or revise major City policy.

Sponsor further requests that the measure not be scheduled for hearing until the Clerk of the Board of Supervisors consults with the City Attorney concerning special notice provisions for hearing this item.

020641 **[Residential Parking Permit Fees - Exemption]**
Supervisor McGoldrick

Ordinance amending San Francisco Traffic Code Section 314 exempting owners of electric or other clean air vehicles from residential parking permit fees.
4/22/02, ASSIGNED UNDER 30 DAY RULE to Finance Committee, expires on 5/22/2002.
12/2/02, FILED PURSUANT TO RULE 5.37.
1/21/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor McGoldrick requested this matter be reactivated.
1/21/03, ASSIGNED to Finance Committee.

021771 **[Permit Required for Construction of an Impervious Surface in Front Yard]**
Supervisor Sandoval

Ordinance amending the San Francisco Building Code by adding Section 106.1.14 to require that a permit be issued before commencing with construction of an impervious surface, other than a driveway, in a front yard setback area and providing that violation of the permit requirement shall be an infraction subject to fines up to $500; amending Section 110, Table 1-F to establish the permit fee.

(1/21/03 in Board: Supervisor Sandoval submitted a substitute ordinance bearing new title.

10/21/02, ASSIGNED UNDER 30 DAY RULE to Public Works and Public Protection Committee, expires on 11/20/2002.

11/1/02, REFERRED TO DEPARTMENT. Referred to Building Inspection Commission for review and comment.

1/3/03, RESPONSE RECEIVED. Department of Building Inspection, supporting legislation with recommended amendments from the Code Advisory Committee.

1/21/03, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.

1/21/03, ASSIGNED to Public Works and Public Protection Committee.

020549 **[Special Use District to allow an approved live/work project convert to residential]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low-and lower income households with income not exceeding 40% of San Francisco's median income, which shall remain affordable for 55 years or for the life of the building whichever is longer, and (iii) upon completion, the affordable housing development shall be owned, managed and operated by a nonprofit housing organization with reversion to the City if the nonprofit housing organization is dissolved.

(Companion measure to File 020550; Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing new title.)
(1/21/03 From Planning Department: Executive Summary hearing on January 9, 2003 with attachments; Addendum to Final EIR dated November 7, 2002.)

4/8/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 5/8/2002. 4/12/02 - Transmitted to Planning Commission for public hearing and recommendation.

8/9/02, TRANSFERRED to Finance Committee.

11/14/02, RESPONSE RECEIVED. (From Planning Department, Addendum to Final Environmental Impact Report, dated November 7, 2002)

12/9/02, ASSIGNED to Finance Committee.

12/9/02, SUBSTITUTED. Supervisor Daly submitted a substitute ordnance bearing new title.

12/10/02, REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation.

1/21/03, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

020550 **[Zoning Map Amendment]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.

(Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing same title.)
4/8/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 5/8/2002. 4/12/02 - Transmitted to Planning Commission for public hearing and recommendation.

8/9/02, TRANSFERRED to Finance Committee.

11/14/02, RESPONSE RECEIVED. (From Planning Department, Addendum to Final Environmental Impact Report, dated November 7, 2002)

12/9/02, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance bearing same title.

12/9/02, ASSIGNED to Finance Committee.

12/10/02, REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation.

1/21/03, CALLED FROM COMMITTEE. Supervisor Daly requested this matter be scheduled for the February 4, 2003 Board meeting.

Resolutions

030100 **[Contracting out Laundry Services]**
Mayor

Resolution concurring with the Controller's certification that laundry services can be performed for the Department of Public Health, Laguna Honda Hospital by private contractor for a lower cost than similar work performed by City and County employees. (Mayor)

(Fiscal impact.)
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030101 **[Urge Gov. Davis to reconsider realignment of Health and Human Services Programs]**
Supervisors Ammiano, McGoldrick, Dufty, Daly, Sandoval, Gonzalez

Resolution urging the Governor and the State Legislature to reconsider realignment of health and human services and related obligations to the local level and to develop new revenues sufficient to maintain program administration at the State level, urging the Legislature, if it adopts some or all of the realignment proposals made by Governor, to include the minimum guarantees in order to maintain sufficient levels of health and human services uniformly across the State of California, including funding formulas for realigned programs that significantly reward local General Fund contributions, funding formulas that adequately provide for projected growth in consumer populations and caseloads, and mandatory requirements for proper levels of patient care and consumer services, and directing the City Lobbyist, in consultation with the Mayor's Office, the Director of Human Services and the Director of Public Health, to urge the Governor and the State Legislature to reconsider realignment of health and human services and, if realignment is adopted, enact minimum guarantees described herein.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030102 **[Authorize DPW to accept and expend $20,911,134 to rehabilitate the Fourth Street Bridge over Mission Bay Channel]**
Supervisor Daly

Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of $8,438,760 in Federal Highway Bridge Replacement and Rehabilitation (HBRR) program funds, $9,977,898 in Federal Seismic funds, and $2,494,475 in State Seismic funds, for a total of $20,911,134 in grant funds from the Federal Department of Transportation (FHWA) through the State Department of Transportation (Caltrans) to seismically retrofit and rehabilitate the Fourth Street Bridge over the Mission Bay Channel Waterway in China Basin.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030103 **[Accept and Expend Gift of $60,000 from Hayes Valley Neighborhood for Koshland Park]**
Supervisors Gonzalez, Daly

Resolution accepting and expending a gift in place valued at approximately $60,000 from the Hayes Valley Neighborhood Parks Group to the Recreation and Park Department for Koshland Park.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030104 **[Urge DPW to Rename a portion of 19th Street to Peter Sammon Way]**
Supervisors Maxwell, Dufty, Daly, Sandoval

Resolution urging the Department of Public Works to honor Father Peter Sammon by renaming 19th Street between Connecticut and Missouri Streets "Peter Sammon Way".
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030105 **[Urge California Legislature to reject the Governor's proposed shift of local VLF revenues]**
Supervisors Maxwell, Ma, Dufty, McGoldrick, Daly, Peskin, Sandoval, Gonzalez

Resolution urging the California Legislature to reject the Governor's proposed shift of local VLF revenues and to honor the 1998 commitment to restore the VLF.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030106 **[Urge Recreation and Park Department to retain Balboa Pool at its current location]**
Resolution urging the Recreation and Park Department to retain the Balboa Pool at its current location and keep Balboa Park consistent with other public park uses.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030107 **[Commend Hayes Valley Merchants]**
Supervisors Gonzalez, Daly

Resolution commending Hayes Valley merchants on their donation of a portion of their holiday sales to the Homeless Children's Network.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030108 **[Commend San Francisco Housing Authority]**
Supervisors Maxwell, Peskin, Ammiano, Daly

Resolution commending the San Francisco Housing Authority for their efforts to increase civic participation among their residents of Public and Section 8 housing.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030109 **[Commend Robert J. Lull]**
Supervisors Newsom, Hall

Resolution commending Robert J. Lull, M.D., his service as 2002 President of the San Francisco Medical Society.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030110 **[Commend American Red Cross and Asian-American Donor Program]**
Supervisor Sandoval

Resolution commending the American Red Cross and Asian-American Donor Program in honor of January as National Volunteer Donor Month.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030111 **[Commend Michael J. Sangiacomo and Congratulate Jim Wunderman]**
Supervisors Sandoval, Dufty, Ma, Peskin, Hall, Gonzalez

Resolution commending Michael J. Sangiacomo for his service as the 2002 Chair of the Board of Directors of the San Francisco Chamber of Commerce and congratulating Jim Wunderman on having been elected the 2003 Chair of the Board of Directors of the San Francisco Chamber of Commerce.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

020915 **[Continuum of Care Plan - Homeless Board Membership]**
Supervisor Hall

Resolution amending the Continuum of Care Plan to reduce the size of the Local Homeless Coordinating Board to sixteen members; eight of whom are appointed by the Mayor and eight of whom are appointed by the Board of Supervisors.
12/2/02, FILED to Rules and Audits Committee. Filed pursuant to Rule 5.37
1/21/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor Hall requested this matter be reactivated.
1/21/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.
1/21/03, ASSIGNED to Rules and Audits Committee.

030126 **[Oppose Article 23 of the Basic Law in Hong Kong]**
Supervisor Daly

Resolution opposing the proposed Article 23 legislation in Hong Kong.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearings

030112 **[Mayor's Budget Plan]**
Supervisors Peskin, Daly

Hearing to review the Mayor's most recent budget plan, issued in January 2003. This hearing will address the Mayor's current and planned spending changes to address the City's current budget deficit.
1/21/03, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests that this item be heard by the Board of Supervisors' Budget Committee if it is established by President Gonzalez and convenes before February 15, 2003. If a Budget Committee meeting is not scheduled before February 15, 2003, sponsor requests that this hearing be scheduled at the Board's Finance Committee at its meeting on February 5, 2003.

030113 **[San Francisco's Natural Lakes]**
Supervisor Hall

Hearing on the status of Lake Merced, Mountain Lake, and Pine Lake with presentations from the Public Utilities Commission and the Park Department.
1/13/03, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

030114 **[San Francisco Litter Court]**
Supervisors Dufty, Ma

Hearing recognizing the important contribution by the California Community Dispute Services (CCDS) providing San Francisco's Litter Court. This hearing will focus on improving the effectiveness of our Litter Court and sustaining more of the citations.
1/21/03, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

030115 **[Littering fines for DPW Enforcement and Street Cleaning]**
Supervisors Dufty, Ma

Hearing to consider whether there should be a designation of a portion of fines imposed for littering and dumping towards DPW's enforcement programs, especially its Environmental Control Officers, as well as street cleaning, graffiti abatement, and tree plantings among others.
1/21/03, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

030116 **[Increasing Dog Registration Compliance]**
Supervisor Dufty

Hearing to consider means by which dog owners/guardians can be encouraged to register their pets. Possible utilization of veterinarians to help process registrations for fee as well as other options and educational programs.
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030117 **[Halloween - Establishing as a City-managed Event]**
Supervisors Dufty, Ammiano

Hearing to consider having the City and County of San Francisco become the sponsor and coordinator of the annual Halloween observance that takes place annually in the Castro.
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

030119 **[Graffiti]**
Supervisor Dufty

Hearing on Department of Parking and Traffic's approach to eradicating graffiti from all city traffic control signage.
1/21/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030120 **[Fleet Zero Emission Vehicle Incentive Program]**
Supervisor Daly

Hearing to consider efforts of City departments to secure funding under the Fleet ZIP program of the California Air Resources Board.
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

Motion

030036 **[Board Off-site Meetings]**
Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on February 26, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

1/21/03 in Board: Supervisor Ammiano submitted a substitute motion bearing new title.
1/13/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.
1/17/03, TRANSFERRED to Finance Committee.
1/21/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute motion bearing new title.
1/21/03, ASSIGNED to Finance Committee.

030091 **[Meeting Schedule]**
Supervisor Gonzalez

Resolution revising the regular meeting of the Board of Supervisors by canceling the November 11, December 2, December 23 and the December 30, 2003 meetings and by canceling all Board and Committee meetings from August 27 through September 14, 2003.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030121 **[Rules of Order - New Committee Structure]**
Supervisor Gonzalez

Motion amending Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.8 and replacing them with new Sections 5.1 through 5.6, thereby creating a new committee structure of the Board.
1/21/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030122 **[Amend Rules of Order - Establish Joint City and School District Select Committee]**
Supervisor Gonzalez

Motion amending the Rules of Order of the Board of Supervisors adding Section 5.7 establishing a Joint City and School District Select Committee.
1/21/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030123 **[Committee of the Whole - Emergency Room Diversion Task Force]**
Supervisors Newsom, Maxwell

Motion scheduling a Committee of the Whole on January 27, 2003 at 3:00 p.m. to hear a presentation of the Emergency Room Diversion Task Force recommendations.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030124 **[Directing Budget Analyst]**
Supervisor Gonzalez

Motion directing the Board of Supervisors Budget Analyst to explore budget reduction strategies and revenue enhancement options and prepare recommendations for consideration by the Board of Supervisors Budget Committee for the fiscal year 2003-2004 Annual Appropriation Ordinance and Annual Salary Ordinance.
1/21/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030125 **[Directing the Budget Analyst]**
Supervisor Gonzalez

Motion directing the Budget Analyst to include policy recommendations, when deemed appropriate by the Budget Analyst, in its reports to the Board of Supervisors.
1/21/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030127 **[Committee of the Whole]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider Files 020550 and 020549 regarding 4th and Freelon Special Use District and Zoning Map Amendment, to be held on February 4, 2003.
1/21/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030025 **[Increasing the Alemany Flea Market Daily Staff Fee]**
Ordinance amending Section 9B.5 of the San Francisco Administrative Code by increasing the daily fee for a stall at the Alemany Flea Market from $30 per stall to $45 per stall. (Agriculture, Weights and Measures)

(No Public Benefit Recipient.)
1/9/03, RECEIVED AND ASSIGNED to Finance Committee.

030029 **[Authorizing MTA to proceed with CM/GC project delivery method for Muni Metro East Project]**
Ordinance exempting the Municipal Transportation Agency (MTA) from subcontractor listing requirements of Administrative Code Chapter 6 for the proposed construction of the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project; and authorizing the MTA to take all necessary steps to procure such work through a CM/GC contract duly awarded pursuant to this Ordinance. (Municipal Transportation Agency)

(No Public Benefit Recipient.)
1/13/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

PROPOSED RESOLUTIONS

030023 **[Child Care Health Linkages]**
Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $84,328.13 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to extend current child care health consultation services to family childcare providers, for the period of July 1, 2002 to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)
1/10/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030024 **[PUC Contract for Program Management Services, CS-524]**
Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) for a third year. (Public Utilities Commission)

(No Public Benefit Recipient.)
1/3/03, RECEIVED AND ASSIGNED to Finance Committee.

030031 **[Establishing Monthly Contribution Amount]**
Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

(No Public Benefit Recipient.)
1/10/03, RECEIVED AND ASSIGNED to Finance Committee.

030003 **[Sale of 1345 Turk/1140 Fillmore to Redevelopment Agency]**
Supervisor Gonzalez

Resolution approving the sale of real property located at 1345 Turk and 1140 Fillmore Streets to the San Francisco Redevelopment Agency for $900,000; approving the interdepartmental transfer of jurisdiction over 1345 Turk from the Municipal Transportation Agency to the City's Arts Commission; authorizing the Director of Property to enter into an Agreement for the Sale of Real Property with the San Francisco Redevelopment Agency for the sale of such real property for the development of affordable housing, arts and community uses, and other public beneficial uses.

1/10/02 From City Attorney, substitute resolution bearing new title.
(Fiscal impact; Public Benefit Recipient.)
1/6/03, RECEIVED AND ASSIGNED to Finance Committee.
1/10/03, SUBSTITUTED. City Attorney submitted a substitute resolution bearing new title.
1/10/03, ASSIGNED to Finance Committee.

Requests Granted

From: Supervisor Peskin
To: General Manager, Department of Recreation and Parks
Requesting/Inquiring: Inquiring if the Department can publish a written quarterly report updating elected officials and the general public on the implementation of its bond program for neighborhood parks and open space (Propositions A & C on 1999 ballot). Supervisor Peskin seeks a more regularized update on the implementation of this program in a manner that is not onerous on departmental leaders. He and his staff are available to discuss this while an inquiry is pending with the department.

From: Supervisor Newsom
To: City Attorney
Requesting/Inquiring: To draft a resolution calling and providing for an election to be held in the City and County of San Francisco on November 4th, 2003 for the purpose of submitting to the qualified voters of the city a proposition for the issuance of lease revenue bonds by the City (or one of it's agencies, departments or enterprises) in the principal amount of $200,000,000 to finance the acquisition or construction of workforce housing for San Francisco.

From: Supervisor Ma
To: General Manager, Recreation and Parks Department
To: Director, Department of Public Works
Requesting/Inquiring: To explore the status of installation and replacement of traditional historic park signs citywide; including but not limited to, the estimated costs and time necessary to implement. In addition, please explore the possibility and costs associated with including multilingual text on the traditional historic park signs for those signs that have yet to be installed.

From: Supervisor Hall
To: Assessor
Requesting/Inquiring: That each time the Assessment Appeal's Board grants a devaluation of property greater than $50 million, will the Assessor's Office please respond to the following questions: (1) Does the Assessor agree with the devaluation? (2) Will the Assessor file an appeal with the Superior Court on the devaluation? (3) Why or Why not?

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft an ordinance or Board rule which requires the Assessor's Office to provide a report to the Board of Supervisors each time the Assessment Appeal's Board grants a devaluation of property greater than $50 million. The Assessor's Office should respond to the following questions: (1) Does the Assessor agree with the devaluation? (2) Will the Assessor file an appeal with the Superior Court on the devaluation? (3) Why or why not?

From: Supervisors Dufty, Ma
To: City Attorney
Requesting/Inquiring: To draft an ordinance increasing fines for littering, illegal posting and commercial dumping.

From: Supervisors Dufty, Ma
To: City Attorney
Requesting/Inquiring: To draft an ordinance that would make licensed club owners liable for litter and blight that is generated by individual promoters that are renting these licensed establishments?

From: Supervisors Dufty, Ma
To: City Attorney

Requesting/Inquiring: To draft an ordinance that all outdoor ATMs must provide appropriate litter receptacles that are regularly serviced and emptied.

From: Supervisors Dufty, Ma
To: City Attorney
Requesting/Inquiring: To draft an ordinance amending the Public Works Code to require that any financial institution or credit union operating outdoor automated teller machines (ATMs) must visibly post a contact phone number that customers, neighbors and businesses can use to report poorly maintained ATMs that require cleaning or servicing. Fines will be established for any financial institution that fails to clean up its facility within 24 hours of notice.

From: Supervisor Daly
To: Director, Administrative Services
To: Director, Department of Environment
To: Director, Port
To: Director, Airport
Requesting/Inquiring: Please describe your efforts to secure funding under the Fleet ZIP program of the California Air Resources Board.

In Memoriams

Mary Dunlap (Entire Board)
Joanne Lap Pang (Entire Board)
Morris Kight (Supervisors Dufty, Ammiano)
Arnie Blum (Supervisor Dufty)
Robert Gittings (Supervisor Gonzalez)
Anne O'Brien Hickey (Supervisors Hall, Ammiano)
Patricia Monaghan (Supervisor Hall)
Raymond Gardner (Supervisor Ma)

ADJOURNMENT

There being no further business, the Board at the hour of 8: 50 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 18, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

DEC - 3 2003

SAN FRANCISCO
PUBLIC LIBRARY

Monday, January 27, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Ma, Ammiano, McGoldrick	1:00 PM
City and School District Committee Supervisors Ammiano, Dufty, Wynns, Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Dufty, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Dufty, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Ma, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:00 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Hall, McGoldrick, Newsom, Sandoval - 4

Quorum present.

Supervisors Hall, McGoldrick, Newsom, Sandoval were noted present at 2:02 p.m.

AGENDA CHANGES

President Gonzalez informed the Board that File No. 030123 will be heard out of order.
President Gonzalez informed the Board that File Nos. 021541 and 030033 will be heard out of order.

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Finance Committee

021976 **[Accept-Expend Federal/State Pass Through Grant]**

Resolution authorizing the Department of Public Library to accept and expend a grant in the amount of $13,815 from the California State Library as part of the Federal Library Services and Technology Act (LSTA) for reimbursing tuition expenses of library employees pursuing a degree or certificate in library science at an institution of higher education. (Public Library)

(No Public Benefit Recipient.)

Resolution No. 59-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

022050 **[Sale of vintage streetcar to City of Issaquah, Washington]**

Supervisor Gonzalez

Resolution approving the sale of Muni Car No. 96 to the City of Issaquah, Washington pursuant to San Francisco Administrative Code Section 10.84. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

Resolution No. 62-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Health and Human Services Committee

021936 **[Medical services for prison inmates referred from institutions of the California Department of Corrections]**

Supervisor Daly

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco (CHNSF), to enter retroactively into an agreement, which includes an indemnification clause, with The State of California, Department of Corrections (CDC), and accept reimbursement in the amount of $225,000 for medical services provided to inmates referred from the Correctional Training Facility (CTF) and the California Medical Facility (CMF); for the period of March 1, 2002, to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Daly requested to be added as sponsor.

Resolution No. 51-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021967 **[Accept-Expend Foundation Grant]**

Resolution authorizing the Department of Human Services to accept and expend a two-year grant in the amount of $95,000 from the CalWORKs/Child Welfare Partnership Project for improving coordination between the department's Child Welfare and Welfare-To-Work programs. (Human Services Department)

(No Public Benefit Recipient.)

Resolution No. 57-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021989 **[Accept and Expend Federal Grant for Sheriff's Department program providing services to recently released substance abusing offenders]**

Supervisor Daly

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $498,455 from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Administration for providing a substance abuse program to recently released offenders. (Sheriff)

(Public Benefit Recipient.)

Supervisor Daly requested to be added as sponsor.

Resolution No. 60-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

022018 **[Accept- Expend a Bequeathal from the Estate of Mabel L. Schwartz]**

Supervisor Gonzalez

Resolution authorizing the Department of Animal Care and Control to accept and expend a bequeathal in the amount of $75,040.33 from the Estate of Mabel L. Schwartz (Paula J. Johnson, PR) to be used by the Department of Animal Care and Control to continue its work of helping animals and promoting their welfare. (Animal Care and Control)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as sponsor.

Resolution No. 61-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

022048 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Scott Nisbet and Daniel David against the City and County of San Francisco and AT&T Corporation in exchange for a waiver of costs by San Francisco; the lawsuit was filed on February 19, 2002 in San Francisco Superior Court, Case No. 02-404691; entitled Nisbet and David v. AT&T Corp. and the City and County of San Francisco; other material terms of said settlement are that AT&T will pay costs and fees to plaintiffs' counsel, and will provide pre-paid telephone calling cards with a value of $50,000 for free distribution in San Francisco; these cards will be distributed through the San Francisco Convention and Visitors Bureau, the San Francisco Department of Public Health, and the San Francisco Department of Human Services. (City Attorney)

(No Public Benefit Recipient.)

Ordinance No. 17-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Rules and Audits Committee

020969 **[Prohibition on Use of Public Funds for Printed Greeting Cards]**
Supervisors Daly, Peskin, Ma, Gonzalez

Ordinance amending Chapter 4 of Article III of the San Francisco Campaign and Governmental Conduct Code by adding a new section 3.405 to prohibit the use of City funds to produce or mail printed greeting cards.

Ordinance No. 18-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021791 **[Preservative-treated Wood Containing Arsenic]**
Supervisors Peskin, Sandoval, Daly, Ma, Gonzalez, Maxwell

Ordinance amending the San Francisco Administrative Code by adding Chapter 21G, requiring all City Departments and Contractors to purchase preservative-treated wood only from the list of environmentally preferable alternatives adopted by the Department of the Environment; requiring all City Departments that own or maintain play structures, park equipment or other facilities constructed with preservative-treated wood containing arsenic to undertake certain actions; requiring the Department of the Environment to report to the Commission on the Environment on the programs mandated by this Chapter; requiring disposal of preservative-treated wood containing arsenic at approved landfills; and directing the Department of Building Inspection and the Department of the Environment to report on a possible citywide ban on preservative-treated wood containing arsenic.

Ordinance No. 15-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021853 **[Extending the Existence of the CEDAW Task Force]**
Supervisors Maxwell, Daly, Ma, Peskin, Sandoval, Gonzalez

Ordinance amending San Francisco Administrative Code by amending Section 12K.5 to change the expiration date of the Convention to Eliminate all forms of Discrimination Against Women ("CEDAW") Task Force from December 31, 2002 to June 30, 2003.

Supervisors Peskin, Sandoval and Gonzalez requested to be added as co-sponsors.
Ordinance No. 16-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Finance Committee

Supervisor Dufty Excused From Voting

Supervisor Dufty, seconded by Supervisor Sandoval, moved to excuse Supervisor Dufty from voting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Dufty

021973 **[Consultant Contract for New Central Subway phase of Third St. Light Rail Transit Project]**

Resolution approving the award of Municipal Railway Contract No. CS-138, Professional Engineering and Other Support Services for Muni Metro Third Street Light Rail Project: New Central Subway, with the Joint Venture of Parsons Brinckerhoff Quade & Douglas, Inc. and PGH Wong Engineering, Inc., to provide necessary professional engineering and other support services in an amount not to exceed $29,800,000, and for a term not to exceed five years; the contract shall be initially certified for $4.3 million in Traffic Congestion Relief Program funding. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Amended on page 1, lines 8 and 9 (Title) by deleting "the contract shall be initially certified for $4.3 million in Traffic Congestion Relief Program funding"; further amended on page 3, lines 8 and 9 by deleting "the contract shall be initially certified for $4.3 million in Traffic Congestion Relief Program funding".

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Dufty

Resolution approving the award of Municipal Railway Contract No. CS-138, Professional Engineering and Other Support Services for Muni Metro Third Street Light Rail Project: New Central Subway, with the Joint Venture of Parsons Brinckerhoff Quade & Douglas, Inc. and PGH Wong Engineering, Inc., to provide necessary professional engineering and other support services in an amount not to exceed $29,800,000, and for a term not to exceed five years. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 58-03

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Dufty

Recommendations of the Health and Human Services Committee

021830 **[Grant Funds to Develop Vulnerability Assessments]**

Resolution authorizing the General Manager of the San Francisco Public Utilities Commission to apply for, accept and expend retroactively grants amounting to $230,000 from the United States Environmental Protection Agency (USEPA) for vulnerability assessment. (Public Utilities Commission)

(No Public Benefit Recipient.)

Resolution No. 56-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021985 **[Expand Treatment for Homeless Addicts]**

Supervisors Dufty, Daly, Peskin

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend a grant in the amount of $499,999 for the first year of a three year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish the homeless addict vocational and educational network (HAVEN) and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

Supervisors Dufty, Daly and Peskin requested to be added as co-sponsors.

Resolution No. 52-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Pending approval of File 030123

030090 **[Emergency Room Diversion Task Force Recommendation]**
Supervisor Newsom

Hearing to consider the presentation of the Emergency Room Diversion Task Force recommendations. (Clerk of the Board)

Dr. Scott Campbell made a presentation on the Emergency Room Diversion Task Force recommendations. The Board reviewed these recommendations with Dr. John Brown, SFDPH, Barbara Garcia, Deputy Director, SFDPH, Ron Smith, Member, Hospital Council and Ms. Parker, Member of the Task force.

The President inquired if there was anyone present who wished to address the Board.

Abdulla Megahed; support Task Force recommendations
Jim Reid; support Task Force recommendations
Bob Ivory; nurse and Shop Steward Local 790 SFGH

President declared the Public Comment closed.
HEARD AT PUBLIC HEARING.

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

The President inquired if there was anyone present who wished to address the Board.

Jack Dodson; removal of campaign signage
Member of Youth; budget issues
Ramona Anderson: impeachment process of President Bush
Female Speaker; spoke against a Chronicle comic strip
Female Speaker; general issues
Jim Reid; ballot measure homeless rehabilitation
Justine Teidman; against War in Iraq
Gilbert Christlaw; police brutality

The President declared the Public Comment portion of the meeting closed.

Supervisor Daly noted absent at 4:45 p.m.

From Rules and Audits "Without Recommendation"

021541 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for $107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 7 - Ammiano, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Gonzalez, Hall, Newsom
Absent: 1 - Daly

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Defendant

[Convene in Closed Session]
Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from the City Attorney as permitted by Government Code regarding the following litigation: Haaland v. San Francisco (San Francisco Superior court No. 305-552, filed 8/10/99 The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d)(1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

Supervisor Peskin, seconded by Supervisor Ammiano, moved to convene in closed session. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Daly

Recess

The Board recessed at the hour of 4:45 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:34 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval - 10

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Ted Lakey, Deputy City Attorney;
Cheryl Adams, Deputy City Attorney
Gloria L. Young, Clerk of the Board;
Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Peskin, seconded by Supervisor Ammiano, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Daly

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

Supervisor Newsom Excused

Supervisor Peskin, seconded by Supervisor Ammiano, moved to excuse Supervisor Newsom, at his request, because of possible conflict of interest, from voting. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Newsom

City as Defendant

030033 **[Existing Litigation - Realty Equities, Inc. v. San Francisco]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation filed against the City and County of San Francisco by plaintiffs who have challenged the validity of an appeal from a Planning Commission decision granting a conditional use authorization, which decision was reversed by the Board of Supervisors on appeal, regarding a proposed demolition of an existing motel (Lanai Motel) and construction of a four story tourist hotel at 2361 Lombard St.

Realty Equities, Inc. v. San Francisco
San Francisco Superior Court No. 314-332, filed 8/14/00

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation.

Supervisor Peskin, seconded by Supervisor Ammiano, moved to convene in closed session. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Newsom

Recess

The Board recessed at the hour of 4:45 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 5:34 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval, - 9

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above pending litigation.

Persons in attendance:
Supervisors Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Ted Lakey, Deputy City Attorney;
Lori Giorgi, Deputy City Attorney;
Gloria L. Young, Clerk of the Board;
Kay Gulbengay, Deputy Clerk

The meeting was informational only and no action was taken.
HEARD IN CLOSED SESSION.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Ammiano, seconded by Supervisor McGoldrick, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Daly
Excused: 1 - Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030091 **[Meeting Schedule]**
Supervisor Gonzalez

Resolution revising the regular meeting of the Board of Supervisors by canceling the November 11, December 2, December 23 and the December 30, 2003 meetings and by canceling all Board and Committee meetings from August 27 through September 14, 2003.

Resolution No. 63-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030103 **[Accept and Expend Gift of $60,000 from Hayes Valley Neighborhood for Koshland Park]**
Supervisors Gonzalez, Daly

Resolution accepting and expending a gift in place valued at approximately $60,000 from the Hayes Valley Neighborhood Parks Group to the Recreation and Park Department for Koshland Park.

Supervisor Daly requested to be added as a co-sponsor.
Resolution No. 65-03
ADOPTED

030104 **[Urge DPW to Rename a portion of 19th Street to Peter Sammon Way]**
Supervisors Maxwell, Dufty, Daly, Sandoval

Resolution urging the Department of Public Works to honor Father Peter Sammon by renaming 19th Street between Connecticut and Missouri Streets "Peter Sammon Way".

Supervisors Daly and Sandoval requested to be added as co-sponsors.
Resolution No. 66-03
ADOPTED

030107 **[Commend Hayes Valley Merchants]**
Supervisors Gonzalez, Daly

Resolution commending Hayes Valley merchants on their donation of a portion of their holiday sales to the Homeless Children's Network.

Supervisor Daly requested to be added as a co-sponsor.
Resolution No. 67-03
ADOPTED

030108 **[Commend San Francisco Housing Authority]**
Supervisors Maxwell, Peskin, Ammiano, Daly

Resolution commending the San Francisco Housing Authority for their efforts to increase civic participation among their residents of Public and Section 8 housing.

Resolution No. 68-03
ADOPTED

030109 **[Commend Robert J. Lull]**
Supervisors Newsom, Hall

Resolution commending Robert J. Lull, M.D., his service as 2002 President of the San Francisco Medical Society.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 69-03
ADOPTED

030110 **[Commend American Red Cross and Asian-American Donor Program]**
Supervisor Sandoval

Resolution commending the American Red Cross and Asian-American Donor Program in honor of January as National Volunteer Donor Month.

Resolution No. 70-03
ADOPTED

030111 **[Commend Michael J. Sangiacomo and Congratulate Jim Wunderman]**
Supervisors Sandoval, Dufty, Ma, Peskin, Hall, Gonzalez

Resolution commending Michael J. Sangiacomo for his service as the 2002 Chair of the Board of Directors of the San Francisco Chamber of Commerce and congratulating Jim Wunderman on having been elected the 2003 Chair of the Board of Directors of the San Francisco Chamber of Commerce.

Supervisors Peskin, Hall and Gonzalez requested to be added as co-sponsors.

Resolution No. 71-03
ADOPTED

030127 **[Committee of the Whole]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider Files 020550 and 020549 regarding the 4th and Freelon Special Use District and Zoning Map Amendment, to be held on February 4, 2003.

Motion No. M03-13
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed From Adoption Without Committee Reference

Supervisor McGoldrick requested that this matter be severed so that it could be considered separately.
Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to suspend the Rules of Order to allow public comment on the matter.
Motion carried by the following vote:
Ayes: 11 Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Arthur Evans; support of recommendations of the task force
Male Speaker; paramedic services

The President declared the public comment closed.

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved to refer this matter to committee:
Motion failed by the following vote:
Ayes: 1 - McGoldrick
Noes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval

030123 **[Committee of the Whole - Emergency Room Diversion Task Force]**
Supervisors Newsom, Maxwell

Motion scheduling a Committee of the Whole on January 27, 2003 at 3:00 p.m. to hear a presentation of the Emergency Room Diversion Task Force recommendations.

Supervisor Maxwell requested to be added as a co-sponsor.

Motion No. M03-12

APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Noes: 1 - McGoldrick

Supervisor Ammiano requested that this matter be severed so that it could be considered separately.

030101 **[Urge Gov. Davis to reconsider realignment of Health and Human Services Programs]**
Supervisors Ammiano, McGoldrick, Dufty, Daly, Sandoval, Gonzalez

Resolution urging the Governor and the State Legislature to reconsider realignment of health and human services and related obligations to the local level and to develop new revenues sufficient to maintain program administration at the State level, urging the Legislature, if it adopts some or all of the realignment proposals made by Governor, to include the minimum guarantees in order to maintain sufficient levels of health and human services uniformly across the State of California, including funding formulas for realigned programs that significantly reward local General Fund contributions, funding formulas that adequately provide for projected growth in consumer populations and caseloads, and mandatory requirements for proper levels of patient care and consumer services, and directing the City Lobbyist, in consultation with the Mayor's Office, the Director of Human Services and the Director of Public Health, to urge the Governor and the State Legislature to reconsider realignment of health and human services and, if realignment is adopted, enact minimum guarantees described herein.

Supervisor Ammiano presented an amendment of the whole.
Supervisors Dufty, Daly, Sandoval and Gonzalez requested to be added as co-sponsors.

Supervisor Ammiano, seconded by Supervisor Daly, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution urging the Governor and the State Legislature to reconsider realignment of health and human services and related obligations to the local level and to develop new revenues sufficient to maintain program administration at the State level, urging the Legislature, if it adopts some or all of the realignment proposals made by Governor, to include the minimum guarantees in order to maintain sufficient levels of health and human services uniformly across the State of California, including funding formulas for realigned programs that significantly reward local General Fund contributions, funding formulas that adequately provide for projected growth in consumer populations and caseloads, and mandatory requirements for proper levels of patient care and consumer services, and directing the City Lobbyist, in consultation with the Mayor's Office, the Director of Human Services and the Director of Public Health, local community groups and service providers, to urge the Governor and the State Legislature to reconsider realignment of health and human services and, if realignment is adopted, enact minimum guarantees described herein.

Resolution No. 64-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030102 **[Authorize DPW to accept and expend $20,911,134 to rehabilitate the Fourth Street Bridge over Mission Bay Channel]**
Supervisor Daly

Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of $8,438,760 in Federal Highway Bridge Replacement and Rehabilitation (HBRR) program funds, $9,977,898 in Federal Seismic funds, and $2,494,475 in State Seismic funds, for a total of $20,911,134 in grant funds from the Federal Department of Transportation (FHWA) through the State Department of Transportation (Caltrans) to seismically retrofit and rehabilitate the Fourth Street Bridge over the Mission Bay Channel Waterway in China Basin.

REFERRED to the Finance Committee by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Hall requested that this matter be severed so that it could be considered separately.

030105 **[Urge California Legislature to reject the Governor's proposed shift of local VLF revenues]**
Supervisors Maxwell, Ma, Dufty, McGoldrick, Daly, Peskin, Sandoval, Gonzalez

Resolution urging the California Legislature to reject the Governor's proposed shift of local VLF revenues and to honor the 1998 commitment to restore the VLF.

Continued to February 4, 2003
Supervisors Daly, Peskin, Sandoval and Gonzalez requested to be added as co-sponsors.
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Hall requested that this matter be severed so that it could be considered separately.

030106 **[Urge Recreation and Park Department to retain Balboa Pool at its current location]**
Supervisors Sandoval, Maxwell

Resolution urging the Recreation and Park Department to retain the Balboa Pool at its current location and keep Balboa Park consistent with other public park uses.

Continued to February 4, 2003
CONTINUED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

030126 **[Oppose Article 23 of the Basic Law in Hong Kong]**
Supervisor Daly

Resolution opposing the proposed Article 23 legislation in Hong Kong.

REFERRED to the Rules and Audits Committee by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

020966 **[Conforming Changes Establishing Controls for Transit-Oriented Neighborhood Commercial Districts and Transit-Intensive Special Use Districts]**
Supervisor McGoldrick

Ordinance amending the Planning Code by amending Section 121.1 to include lot size controls for Transit-Oriented Neighborhood Commercial (NC-T) Districts, amending Section 121.2 to include use size controls for NC-T Districts, amending Section 124 to include a basic floor area ratio for NC-T Districts, amending Section 135 to include open space requirements for NC-T Districts, amending Section 151 to include off-street parking requirements for NC-T and Transit-Intensive Special Use Districts, amending Section 208 to include density limits for group housing in NC-T Districts; amending Section 607.1 to regulate signs in the NC-T, and making a determination of consistency with the priority policies of Planning Code Section 101.1(B).

6/3/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 7/3/2002.

6/10/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

6/12/02, RESPONSE RECEIVED. Certificate of Exemption/Exclusion from Environmental Review dated 11/7/02.

12/31/02, FILED PURSUANT TO RULE 5.37.

1/27/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor McGoldrick requested this matter be reactivated.

1/27/03, ASSIGNED to Transportation and Commerce Committee.

020967 **[Transit-Oriented Neighborhood Commercial Districts and Transit Intensive Special Use Districts]**
Supervisor McGoldrick

Ordinance amending the Planning Code by amending Sections 730 and 730.96 to create and establish controls for Transit-Oriented Neighborhood Commercial (NC-T) Districts, adding Section 249.20 to create and establish controls for Transit-Intensive Special Use Districts, amending Section 145.1 to establish street frontage requirements in NC-T Districts, amending Section 207.4 to establish density limits for dwelling units in NC-T Districts; and making a determination of consistency with the priority policies of Planning Code Section 101(b).

6/3/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 7/3/2002.

6/10/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

6/12/02, RESPONSE RECEIVED. Certificate of Exemption/Exclusion from Environmental Review dated 11/7/02.

12/31/02, FILED PURSUANT TO RULE 5.37.

1/27/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor McGoldrick requested this matter be reactivated.

021855 **[Amend Planning Code Section 253 - Housing Legislation - R Districts]**
Supervisor McGoldrick

Ordinance amending the San Francisco Planning Code by amending Section 253 that currently requires conditional use approval for residential construction over 40 feet in residential districts with height limits over 40 feet to add an exception for housing projects that include at least 12 percent affordable units and meet other requirements of the Inclusionary Affordable Housing Program; and making a determination of consistency with the priority policies of Planning Code Section 101.1(b).

11/4/02, ASSIGNED UNDER 30 DAY RULE to Transportation and Commerce Committee, expires on 12/4/2002.

11/13/02, REFERRED TO DEPARTMENT. Transmitted to Planning Commission for public hearing and recommendation.

1/27/03, ASSIGNED to Transportation and Commerce Committee. Supervisor McGoldrick requested to be a sponsor, replacing former Supervisor Leno .

030132 **[Funding for the investigation and litigation against Tutor-Saliba Construction]**
Supervisor Peskin

Ordinance appropriating $2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.

(Fiscal impact.)

1/27/03, RECEIVED AND ASSIGNED to Finance Committee.

030142 **[Designate the Laguna Honda Station, also known as the Forest Hill Station, At 390 Laguna Honda Boulevard As a Landmark]**
Supervisor Hall

Ordinance Designating the Laguna Honda Station, At 390 Laguna Honda Boulevard, As Landmark No. 231 Pursuant To Article 10, Sections 1004 And 1004.4 Of The Planning Code.

1/27/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030146 **[Changing Official Width of Sidewalk]**
Supervisor Hall

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1558 to change the official sidewalk width at the southeast and southwest corners of Woodside and Idora Avenues; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

Resolutions

030131 **[2003 Finance Corporation Equipment Program]**
Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 10 (Series 2003A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $11,750,000; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith and ratifying previous actions taken in connection therewith. (Mayor)

(Fiscal impact.)
1/27/03, RECEIVED AND ASSIGNED to Finance Committee. Department requests this item be scheduled for consideration at the February 12, 2003 meeting.

030135 **[Extension of Planning Commission Review Period - Planning Code Section 207.2]**
Supervisors Peskin, Gonzalez

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units.
1/27/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030140 **[Review of Human Resources Functions with the Board of Supervisors Budget Analyst Management Audit]**
Supervisors Ammiano, Daly, Ma, Maxwell, McGoldrick, Peskin

Resolution urging the Controller to coordinate his best practices review of Human Resources functions in other jurisdictions with the Board of Supervisors Budget Analyst Management Audit of the Department of Human Resources and to expand his review to include best practices for executive recruitment for Department head and other executive-level positions and best practices for hiring for management and implementation of capital projects.
1/27/03, RECEIVED AND ASSIGNED to Finance Committee.

030141 **[Review of Current City Budget Reserve and Fund Balance Practices]**
Supervisors Ammiano, Ma, Newsom, McGoldrick, Peskin

Resolution urging the Controller to review current City and County budget reserve and fund balance practices and best practices in other local jurisdictions, review historic changes in City revenues and one-time expenditures during periods of greater than average growth in City revenues and best practices in other jurisdictions, review and analyze the feasibility of establishing a revenue stabilization fund for use during economic downturns funded by extraordinary growth in City revenues, and recommend to the Mayor and the Board of Supervisors best practices for budget reserves and fund balances and recommendations for allocation of greater than average growth in General Fund revenues for a revenue stabilization fund, prevention programs, one-time capital spending and spending on deferred maintenance.
1/27/03, RECEIVED AND ASSIGNED to Finance Committee.

030145 **[Contingency Fee Agreement]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Newsom, McGoldrick, Maxwell

Resolution approving and authorizing a contingency fee agreement between the City and a law firm selected by the City Attorney, in connection with the litigation initiated by the City Attorney against Tutor-Saliba Corporation and related entities over construction projects at the San Francisco International Airport.

(Fiscal impact; Companion measure to File 030132.)
1/27/03, RECEIVED AND ASSIGNED to Finance Committee.

030148 **[Urge State of California Legislature to cut prison spending and redirect money to fund education]**
Supervisors Sandoval, Daly, Gonzalez, Maxwell

Resolution urging the Governor of California and the California State Legislature to cut prison spending and redirect that money to fund education.
1/27/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030149 **[Urge State PUC to allocate $16 million for San Francisco Department of Environment]**
Supervisor Gonzalez

Resolution urging the California Public Utilities Commission to allocate $16 million from the Public Goods Charge to the San Francisco Department of Environment for an emergency Energy Efficiency program in San Francisco to begin immediately.
1/27/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030150 **[Dissolve Sustainable Funding for School Arts and Music Task Force]**
Supervisor Hall

Resolution repealing Resolution Nos. 1127-99 and 175-00, to dissolve the "Sustainable Funding for School Arts and Music Task Force."
1/27/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030151 **[Proclaim Ella Brown Day]**
Supervisors Maxwell, Gonzalez, Newsom

Resolution proclaiming January 30, 2003 as Ella Brown Day in the City and County of San Francisco.
1/27/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030152 **[Commend Twelve Civil Rights Activists]**
Supervisors Sandoval, Daly, Gonzalez

Resolution commending twelve civil rights activists featured in the Long Walk to Freedom Exhibition National Tour.
1/27/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030134 **[Forest City California Development Project at 5th and Mission Street (formerly Emporium)]**
Supervisor McGoldrick

Hearing on the changes to the the Forest City California development project on 5th and Mission Streets on any implementation regarding public policy.
1/27/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

030136 **[Status of Proposition N Implementation]**
Supervisor McGoldrick

Hearing to consider progress by City departments in meeting the deadline of July 1, 2003 for implementation of requirements of Proposition N, recently passed by voters in November 2002. This hearing should include presentations by department heads charged with implementation of Proposition N, including any new and existing programs designated by any City department as implementing the provisions of the initiative, policies adopted or under consideration by any department to assist in the implementation of the initiative, current projected cost savings or increases associated with plans for implementation, any projected increases or decreases in resources currently going to other City programs that will result from implementation proposals, any collateral effects of implementation proposals on other populations served by the City, projected numbers of persons who will be affected by proposed changes in policies with an explanation of such effects, and a timetable for full implementation of each of the initiative's provisions. This hearing should be scheduled on a monthly basis until City departments certify that the provisions of Proposition N have been fully implemented.
1/28/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030143 **[Municipal Budget Software]**
Supervisors Ammiano, Daly, Ma, Maxwell, McGoldrick, Peskin

Hearing to consider options for new municipal budget software, including:
(1) program-based budget tools to facilitate review by the public and decision-makers of budget detail including performance measures of programs; and (2) other potential enhancements to B-Prep (the City's current budget software).
1/27/03, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests that the Controller present to Finance Committee the results of preliminary research into budget software alternatives and his recommendations to the Board of Supervisors.

030144 **[Ocean Beach/Great Highway Status Report]**
Supervisor Hall

Hearing at which the Department of the Environment, Department of Public Works and the Ocean Beach Task Force will present a status report on their collective efforts on Ocean Beach and Great Highway.
1/27/03, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

Motions

030130 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
1/27/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030137 **[Scheduling Items on Committee Consent Agendas]**
Supervisors Ammiano, Peskin

Motion amending Rule 5.40 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to provide additional guidelines for scheduling items on consent agendas in Board Committee meetings.
1/27/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030138 **[Directing the Budget Analyst to Conduct a Management Audit of Human Resources]**
Supervisors Ammiano, Daly, Ma, Maxwell, McGoldrick, Peskin

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the Department of Human Resources and human resources divisions of major City departments on a priority basis.
1/27/03, RECEIVED AND ASSIGNED to Finance Committee.

030139 **[Review of Budget Analyst Allocation of Hours and Recommendations for Reallocation of Resources]**
Supervisors Ammiano, Daly, Ma, Maxwell, McGoldrick, Peskin

Motion directing the Budget Analyst to review the allocation of analyst hours to various functions and requesting recommendations for reallocation of Budget Analyst resources.
1/27/03, RECEIVED AND ASSIGNED to Finance Committee.

030153 **[City and School District Off-Site Meeting]**
Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on April 16, June 18, August 20, October 15, and December 17, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.
1/27/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030154 **[Supervisors limited to three unexcused absences from Committee in a six-month period]**
Supervisor Peskin

Motion amending the Rules of the Board of Supervisors to provide that if a Supervisor has more than three unexcused absences from a Committee during a six-month period, the Supervisor shall have vacated the Committee position, and the President shall be requested to fill the Committee vacancy.
1/27/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

PROPOSED ORDINANCES

030034 **[Campaign Finance Reform Amendments of 2003]**
Supervisor Gonzalez

Ordinance amending Article I, Chapter 1 of the Campaign and Governmental Conduct Code by amending sections 1.104, 1.114, and 1.148 to clarify and consolidate definitions; amending section 1.106 to clarify that State law is incorporated; amending section 1.108 to clarify that it applies only to candidates; amending section 1.110 to provide the Ethics Commission discretion to provide additional office hours prior to an election and to conform to minimum state law record retention periods; amending section 1.114 to apply contribution limits to affiliated entity contributions, to authorize the Ethics Commission to determine when contributions must be returned and to reduce or waive forfeiture penalties, and to clarify that limits apply to special elections; amending section 1.116 to extend loan limitations to candidates for all City elective offices and to authorize the Commission to adjust these amounts; amending section 1.122 to clarify that campaign funds may be used for officeholder expenses, to provide that certain surplus funds may be donated to charity, and that contributions transferred between a candidate's committees must be attributed to specific contributors; deleting section 1.124 on money laundering because the ordinance already incorporates state law provisions; amending section 1.128 to provide a penalty for violating an agreement to limit campaign spending; amending section 1.130 to clarify that expenditure ceilings apply in special elections and to reflect that spending limits have been adjusted for inflation; amending sections 1.134 and 1.152, deleting section 1.146 and adding a new section 1.135 to consolidate and harmonize provisions on lifting the spending limits; amending section 1.140 to correct cross-references, to require that candidates file a statement of intent to participate in public financing, to lower to $5,000 the threshold for qualifying for public financing, and to provide additional time for qualifying for public financing, amending section 1.142 to require filing of statement of intent to participate in public financing program; amending section 1.150 to provide that repayment of public funds shall be made to the Ethics Commission, rather than the Controller, for deposit in the Election Campaign Fund; amending section 1.152 to conform language to other amended sections; amending sections 1.144 and 1.154 to extend the time for the Ethics Commission to determine whether pro-ration is required; amending section 1.162 to clarify that the notice provision applies only to mass mailings; amending section 1.163 to require recordkeeping for recorded telephone messages; amending section 1.164 to clarify references; amending section 1.168 to eliminate language suggesting that persons can obtain immunity if they do not receive a response to a request for advice within a specified period of time; amending section 1.170 to increase the penalties for violations of the Ordinance to $5,000, to incorporate penalties described in section 1.172, and to clarify personal and joint and several liability; deleting section 1.172; and amending section 1.174 to clarify that the department of elections may decline to certify a nomination if a candidate fails to file a statement regarding acceptance or rejection of spending limits.

(No Public Benefit Recipient.)
1/27/03, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 2/26/2003.

030118 **[Settlement of Lawsuit]**
Supervisors Gonzalez, Peskin, Daly, Newsom

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).
1/21/03, RECEIVED AND ASSIGNED to Finance Committee.

PROPOSED RESOLUTIONS

030032 **[Healthy eating and childhood overweight prevention services]**
Supervisors Dufty, Ma, Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $113,788 from the California Department of Health Services (CDHS) for healthy eating and childhood overweight prevention and to enter into an agreement for the use of these funds; for the period of August 1, 2002 to September 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)
1/16/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030035 **[Grant - Family literacy program for women prisoners in the county jail]**
Supervisors Dufty, Ma, Maxwell

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $33,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail. (Sheriff)

(Public Benefit Recipient.)
1/13/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.

030082 **[Accept - Expend TFCA Regional Funds]**
Supervisor Newsom

Resolution authorizing the Municipal Transportation Agency to Accept and Expend $1,123,364 of Transportation Fund for Clean Air Regional Funds for the three Capital Improvement Projects: the Transit Bus Traffic Signal Prioritization; Transit Bus Replacement: 15 CNG or Hybrid Electric Vehicles; and Bicycle Racks - Installation of Bicycle Racks on 50 Vehicles. (Municipal Transportation Agency)

(No Public Benefit Recipient.)
1/16/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

Requests Granted

From: Supervisor Hall
To: Director, CalTrans
Requesting/Inquiring: What plans or proposals does CalTrans have for the improvement of traffic along 19th Avenue? Does CalTrans intend on moving forward with plans to build an above ground or below ground freeway along 19th Avenue?

From: Supervisor Peskin
To: Controller
To: Director, Airport
Requesting/Inquiring: Inquiring about the spending within the San Francisco International Airport's Capital Budget in the current fiscal year. On July 1, 2002, the Board of Supervisors rescinded unencumbered appropriation authority for airport capital projects and appropriated a portion of that spending authority back to the airport (Ordinance 021068).
Supervisor Peskin requests a mid-year update on spending within this appropriation authority. Specifically, his office requests a report-detailing sub-object spending in each of the appropriation's broad spending categories. His staff, Wade Crowfoot, can be contacted to clarify or refine this request.

From: Supervisor Peskin
To: Director, Department of Public Works
Requesting/Inquiring: Inquiring about the feasibility of replacing concrete sidewalks in San Francisco with "rubbersidewalk" material, which may reduce hazards and the need to remove healthy, mature trees due to invasive root growth. Documents detailing this "rubbersidewalk" material is attached.

From: Supervisor Peskin
To: Director, Department of Environment
Requesting/Inquiring: Inquiring about the status of implementation of the California Integrated Waste Management Board grant awarded to the City to install recycled tire rubber products for outdoor walkways in one of the City's green building pilot projects.

From: Supervisor Ma
To: Building Manager, City Hall
Requesting/Inquiring: To review and report on the status of the City's energy efficiency efforts; including but not limited to, the amount of money and power saved during the past twenty-four months. Also, please report on what programs are currently in place to continue these energy efficiency efforts.

From: Supervisor McGoldrick
To: City Attorney
Requesting/Inquiring: To draft ordinance appropriating a set amount of SFPD budget to be used specifically for and limited to enforcement of moving traffic violations such as running red lights and stop signs, exceeding the speed limit, and failure to yield to pedestrians.

In Memoriams

Michael Gallegos (Supervisor Daly)
Jenette Gurevitch (Supervisors Dufty, Ammiano)
Mary C. Doo (Supervisor Ma)
Marge Haycox (Supervisor Maxwell)
Arden Danekas (Supervisor McGoldrick)

ADJOURNMENT

There being no further business, the Board at the hour of 5:36 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on February 25, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

DEC - 3 2003

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PUBLIC LIBRARY

Tuesday, February 4, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Ma, Ammiano, McGoldrick	1:00 PM
City and School District Committee Supervisors Ammiano, Dufty, Wynns, Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Dufty, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Dufty, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Ma, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01 p.m. On call of the roll, all Supervisors were noted present.

Quorum present.

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Peskin, moved to approve the meeting minutes of January 8, 2003 and January 13, 2003. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

AGENDA CHANGES

There were none.

COMMUNICATIONS

There were none.

Appointment of President Pro Tempore

At the request of the President, Supervisor Sand oval assumed the Chair during the presentation of a Certificate of Honor to John Sin clair.

Privilege of the Floor

President Gonzalez, seconded by Supervisor Maxwell, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Gonzalez introduced, welcomed and presented a Certificate of Honor to John Sinclair.

Supervisor Ma recognized KPOO radio station for their dedication to broadcasting the SF Board of Supervisors meetings.

CONSENT AGENDA

Recommendations of the Transportation and Commerce Committee

020790 **[Stop Sign Designation - Francisco and Mason Streets]**
Supervisor Peskin

Resolution urging the installation of 4-way Stop signs at the intersection of Francisco and Mason Streets.

Resolution No. 72-03
ADOPTED

021833 **[Stop Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Athens and Madison Streets, stopping Madison Street at Athens Street, making this T-intersection an all-way STOP;
Britton Street and Visitacion Avenue, stopping Visitacion Avenue at Britton Street, making this intersection an all-way STOP;
Arleta Avenue and Rutland Street, stopping Rutland Street at Arleta Avenue, making this intersection and all-way STOP; and
Cabrillo and La Playa Streets, stopping Cabrillo Street, the stem of this T-intersection.

STOP SIGNS - RESCIND
Tiffany Avenue at Duncan Street. (Parking and Traffic Department)

11/4/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2518.

Resolution No. 73-03
ADOPTED

021834 **[Traffic Regulations, Various Streets]**

Resolution enacting and rescinding traffic regulations on various streets.

BICYCLE LANES - ESTABLISH
Golden Gate Avenue, westbound from Masonic to Parker Avenues; and
Golden Gate Avenue, eastbound from Masonic Avenue to 130 feet westerly.

MULTIPLE LEFT TURN LANES - ESTABLISH
10th Street, southbound at Brannan Street, Division Street, and Potrero Avenue (mandatory left turn for curb lane, shared left turn/through for 2nd lane from curb). Curb lane is currently designated as a left turn lane.

STREET CLOSURE - ESTABLISH
Tiffany Avenue, northbound direction only, at Duncan Street

CROSSWALK CLOSURE - ESTABLISH
Duncan Street, at Tiffany Avenue, west crosswalk (crossing Duncan Street)

NO LEFT TURN - ESTABLISH
Duncan Street, westbound, at Tiffany Avenue (prohibits access from Valencia Street to southbound Tiffany Avenue)

RIGHT TURN ONLY - ESTABLISH
Duncan Street, eastbound, at Tiffany Avenue (prohibits access from Duncan Street to Valencia Street) (Parking and Traffic Department)

11/5/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2518.

Resolution No. 74-03
ADOPTED

021835 **[Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Van Dyke Street, south side, from the east end of the easternmost driveway of 1355 Van Dyke Street to Ingalls Street; and
Curtis and Rolph Streets, along the traffic island, south side, from the east end to 17 feet westerly (17-foot zone accommodating two parking stalls).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM TO 9PM, MONDAY THROUGH FRIDAY) - ESTABLISH
23rd Street, both sides, between Castro and Noe Streets (4000 block).

RESIDENTIAL PERMIT PARKING AREA "U" (1-HOUR TIME LIMIT, 8 AM TO 10 PM, EVERYDAY) - ESTABLISH
906 and 925 Howard Street, between 5th and 6th Streets (adds specified addresses only).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Green Street, south side, from Montgomery Street to 31.5 feet easterly (31.5-foot zone accommodating nine motorcycle parking stalls).

PARKING METER AREA NO. 3 (2-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Berry Street, both sides, between 3rd and 7th Streets;
Channel, both sides, between 4th and 6th Streets;
Channel, both sides, south of the Commons Street roundabout to Mariposa Street;
Mission Bay Street, both sides, between 4th and North Common Streets;
Mission Rock Street, both sides, between 4th Street and Terry A. Francois Boulevard;
Rincon Street, both sides, between Mission Bay Street and Terry A. Francois Boulevard;
North Common Street, north side, between Owens Street and Terry A. Francois Boulevard;
South Common Street, south side, between Owens Street and Terry A. Francois Boulevard;
South Street, both sides, between 3rd Street and Terry A. Francois Boulevard;
Mariposa Street, both sides, between Illinois and Pennsylvania Streets;
Bay Mud Street, both sides, between North Common and Rincon Streets;
4th Street, both sides, between Channel and Mariposa Street;
Terry A. Francois Boulevard, both sides, between Mariposa and Mission Rock Streets;
3rd Street, west side, from 16th Street to Mariposa Street; and
King Street, both sides, between 5th and Berry Streets.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - RESCIND
Pennsylvania Avenue, west side, from 20th Street to 127 feet north of 22nd Street (500 and 600 blocks, up to and including address #666).

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Pennsylvania Avenue, west side, from 20th Street to 127 feet north of 22nd Street (500 and 600 blocks, up to and including address #670).

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Duncan Street, north side, from Tiffany Avenue to 40 feet westerly (40-foot zone)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Tiffany Avenue, east side, from Duncan Street to 40 feet southerly (40-foot zone). (Parking and Traffic Department)

11/5/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No.2518.

Resolution No. 75-03
ADOPTED

021981 **[Stop Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Avila and Beach Streets, stopping Beach Street at Avila Street, making this intersection an all-way STOP.
34th Avenue and Rivera Street, stopping 34th Avenue at Rivera Street, making this intersection an all-way STOP.
28th Avenue and Ulloa Street, stopping 28th Avenue at Ulloa Street, making this intersection an all-way STOP.
46th Avenue and Ortega Street, stopping 46th Avenue at Ortega Street, making this intersection an all-way STOP.
42nd Avenue and Ortega Street, stopping 42nd Avenue at Ortega Street, making this intersection an all-way STOP.
44th Avenue and Ortega Street, stopping Ortega Street at 44th Avenue, making this intersection an all-way STOP.
Italy Avenue and Lisbon Street, stopping Lisbon Street at Italy Avenue, making this intersection an all-way STOP.
Huron Street and Lawrence Avenue, stopping Huron Street at Lawrence Avenue, making this intersection an all-way STOP.
43rd Avenue and Ortega Street, stopping 43rd Avenue at Ortega Street, making this intersection an all-way STOP.
23rd Avenue and Kirkham Street, stopping Kirkham Street at 23rd Avenue, making this intersection an all-way STOP. (Parking and Traffic Department)

(12/3/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

Resolution No. 76-03
ADOPTED

021982 **[Traffic Regulations, Various Streets]**
Resolution enacting and rescinding traffic regulations on various streets.

ONE-WAY (WESTBOUND) STREET - ESTABLISH
Tehama Street, from Gallagher Lane to 5th Street.

NO LEFT TURN INTO DRIVEWAY - ESTABLISH
643 and 649 Bay Street, westbound, between Columbus Avenue and Leavenworth Street. (Parking and Traffic Department)

(12/3/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

Resolution No. 77-03
ADOPTED

021983 **[Parking Regulations, Various Locations]**
Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Faxon Avenue, east side, from Ocean Avenue to 170 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
San Jose Avenue, south side, from 52 feet to 95 feet south of Theresa Street;
Mason Street, west side, from Beach Street to 22 feet southerly; and
California Street, both sides, from Van Ness Avenue to 55 feet westerly.

TOW-AWAY, NO STOPPING ANYTIME - RESCIND
Mission Street, south side, from 60 feet to 140 feet east of 11th Street.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Meacham Place, both sides, from Post Street to south terminus.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Taylor Street, east side, from 3 feet to 6.5 feet south of the driveway at 1434 Taylor Street (3.5-foot zone, accommodating one motorcycle parking stall).

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Plymouth Avenue, east side, from Ocean Avenue to 96 feet northerly.

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
24th Street, north side, from 65 feet to 107 feet west of Castro Street; and
24th Street, south side, from Castro Street to 143 feet westerly.

NO PARKING ANYTIME, 7 AM to 6 PM, EXCEPT SUNDAYS - RESCIND
Powell Street, east side, from 10 feet to 55 feet south of Pine Street (to establish a green zone in its place).

PARKING METER AREA NO. 3 (1-HOUR PARKING TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Bosworth Street, north side, between Arlington and Diamond Streets (approximately nine spaces).

RESIDENTIAL PERMIT PARKING AREA "D" (2-HOUR TIME LIMIT, 7 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Arlington Street, east side, between Bosworth and Wilder Streets.

2-HOUR (SIGNED) PARKING RESTRICTIONS, 3-MONTH TRIAL - ESTABLISH
Bosworth Street, south side, between I-280 southbound on-ramp and Lyell Street; and
Bosworth Street, north side, between Arlington and Lyell Streets.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Tehama Street, both sides, between 5th Street and Gallagher Lane

ANGLED (45 DEGREE ANGLE) PARKING - RESCIND
ANGLED (60 DEGREE ANGLE) PARKING - ESTABLISH
2400 block of Broadway, north side, between Pierce and Steiner Streets

RESIDENTIAL PERMIT PARKING AREA "Y" (2-HOUR TIME LIMIT, APRIL TO OCTOBER, 9 AM TO 10 PM, MONDAY THROUGH FRIDAY, 9 AM TO 6 PM, SATURDAY AND SUNDAY; NOVEMBER TO MARCH, 9 AM TO 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
200 block of Brannan Street, south side, between Colin P. Kelly, Jr. and Delancey Streets.

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Cesar Chavez Street, south side, from Guerrero Street to 84 feet easterly (include addresses 3627, 3631 and 3635 Cesar Chavez Street only).

RESIDENTIAL PERMIT PARKING AREA "V" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Mount Vernon Avenue, both sides, between Del Monte and Ellington Avenues (portion of the Unit block); and Ellington Avenue, both sides, between Mount Vernon Avenue and east terminus (Unit block)

TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
100 block of Bache Street, south terminus, from 10 feet east of the west property line to 22 feet easterly (22-foot zone).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Gallagher Lane, east side, from 2.5 feet to 20 feet south of Tehama Street (accommodating five spaces).

1-HOUR PARKING TIME LIMIT, 7 AM TO 6 PM, EXCEPT SUNDAY - ESTABLISH
Gallagher Lane, east side, from 18 feet to 120 feet north of Clementina Street. (Parking and Traffic Department)

(12/3/02: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2538; No Public Benefit Recipient.)

Resolution No. 78-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

From Rules and Audits Committee "Without Recommendation"

021541 **[Settlement of Lawsuit]**

Ordinance authorizing settlement of the lawsuit filed by Robert Haaland against the City and County of San Francisco for $107,500; the lawsuit was filed on August 10, 1999 in San Francisco Superior Court, Case No. 305-552; entitled Robert Haaland, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

Ordinance No. 19-03

FINALLY PASSED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Gonzalez, Hall, Newsom

NEW BUSINESS

Recommendations of the Transportation and Commerce Committee

020327 **[General Plan Amendment]**
Supervisors Daly, Gonzalez

Ordinance amending the text of the Downtown Element, Objective 12 (Conserve Resources that Provide Continuity with San Francisco's Past), of the City's General Plan to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1 Priority Policies. (Planning Department)

(Planning Commission Resolution No. 16345 adopted February 14, 2002, Case No. 02.1151TT; companion measure to File 020328.)

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

020328 **[Transferable Development Rights]**
Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Planning Code by amending Section 128(c) to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1. (Planning Department)

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021687 **[Designate the Old U.S. Mint At 88 Fifth Street As a Landmark Under Planning Code Article 10]**
Supervisors Peskin, Ammiano, Hall, McGoldrick, Daly, Newsom, Maxwell, Gonzalez

Ordinance Designating 88 Fifth Street, The Old U.S. Mint, Block 3704, Lot 11, As Landmark No. 236 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

Supervisors Daly, Newsom, and Maxwell requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021886 **[Parking Regulations, portions of Hyde Street]**
Supervisors Gonzalez, Newsom

Ordinance adding Section 32.6.34 to the San Francisco Traffic Code, regarding parking regulations on portions of Hyde Street. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021941 **[Creating Underground District No. 359 on Octavia Street]**
Supervisors Newsom, Gonzalez

Ordinance approving Underground District No. 359 On Octavia Street. (Public Works Department)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030002 **[Grants Federal Funds]**

Resolution authorizing the Municipal Transportation Agency Board to accept retroactively and expend $1,093,110 of Federal Earmarked Capital Assistance for Construction of the Metro East Light Rail Maintenance facility, excluding Administrative Overhead Costs. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 79-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030004 **[Accept-Expend Regional Grant]**

Resolution authorizing the Director of Transportation or his designee to accept and expend $112,000 in FY 02/03 Transportation Fund for Clean Air (TFCA) from the Bay Area Air Quality Management District (Air District) to stripe and sign bike lanes on Cabrillo Street and to execute any and all associated documents. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Resolution No. 80-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

030098 **[Hearing]**

Hearing to consider the proposed Fourth Street, Freelon Street, and Welsh Street Special Use District and Zoning Map Amendment. (Clerk of the Board)

(Companion measure to Files 030127, 020550, 020549.)

Heard at Public Hearing. Speakers: Gerald Green, Director of Planning Department; Ted Lakey, Deputy City Attorney.

Speakers in Favor: Mr. Turk; male speaker; Lou Blache; Michael Forkin; Bruce Bowman; female speaker; Bob Mark; Stan Warren; Delphin Brody; Robert Butire; Sam Dodge; Wendy Thompson; Valeria Senta; John Wally; female speaker; Mr. Woods; Randy Shaw; Mike Burton; James Edimocker; Mr. Duffy; Shawn Kepar; Michael Levitt; Tom McDonagh; Antoinette Stadleman; Joe O'Donoghue; Mr. Blinds; Alice Barkley; Joe Cassidy.

Speakers Opposed: Howard Strauss; Mark Saloman; Allen Tea; Jerald Smith; Tracy Sleave; Kim Bowersox; Peter Warren; Chris Slater; Paul Entric; Ed Kaplin; Natham Buti; Elizabeth Dot; Bruce Prescot; Mr. Fuller; male speaker; Robert Zucher; Adele Santos; Mr. McSwane; Madilyn Highsner; Jim Salinas; Christine Campell; female speaker; male speaker; Sue Hestor.

Continued to February 11, 2003.

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Committee of the Whole Rise and Report Without Recommendation

Called from Finance Committee by Supervisor Daly

020549 **[Special Use District to allow an approved live/work project convert to residential]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low-and lower income households with income not exceeding 40% of San Francisco's median income, which shall remain affordable for 55 years or for the life of the building whichever is longer, and (iii) upon completion, the affordable housing development shall be owned, managed and operated by a nonprofit housing organization with reversion to the City if the nonprofit housing organization is dissolved.

(Companion measure to File 020550; Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing new title.)
(1/21/03 From Planning Department: Executive Summary hearing on January 9, 2003 with attachments; Addendum to Final EIR dated November 7, 2002.)

Supervisor Daly, seconded by Supervisor Dufty, moved an amendment of the whole as further amended on Page 11, line 6, after the word "dissolved" by adding "If no such nonprofit organization can be found, the off-site affordable housing building and the associated land shall revert to the City." On page 13, line 16 after the words "on-site" by adding "pursuant to the provision of Section 315.4 of this code in the event that no off-site project is built by the project applicant."
Motion carried by the following vote:
Ayes: 11- Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval.

Supervisor Peskin, seconded by Supervisor Daly, moved an amendment on page 10, line 15 by deleting "after offsetting the land acquisition costs," and by adding "shall contain a minimum of 56 units of no less than 400 square feet each," .
Motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor McGoldrick, seconded by Supervisor Maxwell, moved an amendment on page 10, line 16 after the words "400 square feet each," by adding "or the number of units and square footage required by Section 315.5(d) of this Code, whichever shall result in the greater number of affordable units".
Motion failed by the following vote:
Ayes: 4 - Ammiano, Maxwell, McGoldrick, Sandoval
Noes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Newsom, Peskin

Supervisor McGoldrick, seconded by Supervisor Ammiano, moved an amendment on page 13, line 1 after the words "affordable housing" by adding "and insurance against construction defects".
Motion carried by the following vote:
Ayes: 6 - Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 5 - Daly, Dufty, Hall, Ma, Newsom
AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low- and lower income households with income not exceeding 50% of San Francisco's median income, which shall remain affordable for a period of 50 years from their date of initial occupancy, and (iii) upon completion, land title shall be transferred to and the off-site affordable housing building shall be owned, managed and operated by a nonprofit housing organization. If the nonprofit housing organization is dissolved, the affordable housing building and land shall be transferred to another nonprofit housing organization or, if no such organization can be found, shall revert to the City. Approval of the market rate housing project shall be through a conditional use authorization with payment of a $10,000 fee if application is made within one year.

(Companion measure to File 020550; Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing new title.)
(1/21/03 From Planning Department: Executive Summary hearing on January 9, 2003 with attachments; Addendum to Final EIR dated November 7, 2002.)

Supervisor Daly, seconded by Supervisor Ammiano, moved that this Ordinance be CONTINUED AS AMENDED ON FIRST READING. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

020550 **[Zoning Map Amendment]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.

(Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing same title.)

Supervisor Daly, seconded by Supervisor McGoldrick, moved to vote on the legislation.
Motion carried by the following vote:
Ayes: 11 Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

030007 **[Public Hearing - Appeal, Conditional Use, 2815 Diamond Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16489 dated December 5, 2002, approving Conditional Use Application No. 2002.0124CVR to allow a lot size to exceed 9,999 square feet, to permit nonresidential uses over 3,999 square feet, (Library/Grocery Store) and to allow a public use (Library) on site for a mixed-use development of 15 dwelling units, approximately 9,200 gross square foot public use (Branch Library) and approximately 7,037 gross square foot other retail sales and services use (Grocery Store/Liquor Store) per Section 303 of the Planning Code, in a NC-2, Small Scale Neighborhood Commercial District, and within the 40-X Height and Bulk District, located at 2815 Diamond Street, southeast corner of Diamond and Wilder Streets between Bosworth/Chenery Streets; Lots 025A, 026-029, 063, in Assessor's Block 6745.

(Appeal filed January 6, 2003; Planning Department issued a Preliminary Mitigated Negative Declaration on May 31, 2002; companion measure to Files 030008, 030009, 030010, 030013; District 8.)

Jay Este, Appellant
Mark Zenti, Appellant

Mr. Stuckie; support of appellant
Peter Warfield; support of appellant
Tort Teese; support of appellant
Greg Pike; support of appellant
Ms. Carol; support of appellant

Gerald Green, Director of Planning Department reviewed with the Board the conditional use recommendation.

David Prowler; Project Sponsor

Susan Heldreth; support of sponsor
male speaker; support of sponsor
Juan Miguel, Housing Coalition; support of sponsor
Peter Winklestein; support of sponsor
Brad Paul; support of sponsor
Bruce Boniker; support of sponsor
Wesley Day; support of sponsor
Debra Quan; support of sponsor
Michael Rice; support of sponsor
Jim Chapel; support of sponsor
Kim Watson; support of sponsor
Mr. Darson; support of sponsor
Linda Montgomery; support of sponsor
Amos McCarthy; support of sponsor
Samuel Amen; support of sponsor
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

(Only one of the following two motions should be adopted.)

030008 **[Appeal, Conditional Use - 2815 Diamond Street]**

Motion approving decision of the Planning Commission by its Motion No. 16489, approving Conditional Use Application No. 2002.0124CVR, on property located at 2815 Diamond Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M03-14

Supervisor Dufty, seconded by Supervisor Ma, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

030009 **[Appeal, Conditional Use - 2815 Diamond Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16489, approving Conditional Use Application No. 2002.0124CVR, on property located at 2815 Diamond Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Ma, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

030010 **[Findings - 2815 Diamond Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0124VR, on property located 2815 Diamond Street, for action by the Board at its next meeting. (Clerk of the Board)

Motion No. M03-15

Supervisor Dufty, seconded by Supervisor Maxwell, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

030013 **[Environmental Review - 2815 Diamond Street]**

Motion certifying review of Preliminary Mitigated Negative Declaration relating to proposed Conditional Use of Property at 2815 Diamond Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Motion No. M03-16

Supervisor Dufty, seconded by Supervisor Newsom, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Absent: 1 - Sandoval

COMMITTEE REPORTS

Recommendation of Finance Committee

030118 **[Settlement of Lawsuit]**
Supervisors Gonzalez, Peskin, Daly, Newsom

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).

Supervisor Daly requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030036 **[Board Off-site Meetings]**
Supervisor Ammiano

Motion ordering the City and School District Committee meeting of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on February 26, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

1/21/03 in Board: Supervisor Ammiano submitted a substitute motion bearing new title.

Motion No. M03-17

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendation of Rules and Audits Committee

030121 **[Rules of Order - New Committee Structure]**
Supervisor Gonzalez

Motion amending Rules of Order of the Board of Supervisors of the City and County of San Francisco, by repealing Sections 5.1 through 5.8 and replacing them with new Sections 5.1 through 5.6, thereby creating a new committee structure of the Board.

Motion No. M03-18

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030122 **[Establish Joint City and School District Select Committee]**
Supervisor Gonzalez

Motion establishing a Joint City and School District Select Committee.

Motion No. M03-19
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030039 **[Amend Administrative Code Article VIII, the San Francisco Museum and Historical Society Advisory Committee]**
Supervisors Peskin, Newsom, Maxwell, Gonzalez

Ordinance amending Article VIII of the San Francisco Administrative Code by amending Section 2A.166 to expand the membership of the San Francisco Museum and Historical Society Advisory Committee ("Committee"), to clarify the Committee's annual reporting requirements and to establish a minimum bi-monthly meeting schedule for the Committee.

Supervisors Newsom and Maxwell requested to be added as co-sponsors.
PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

PUBLIC COMMENT

Male Speaker; energy efficiency program
Male Speaker; solar power
John; environmental destruction
Bob McDowell; government assistance
David Peterson; Unemployment, state phone bank
Male Speaker; budget issues
Steven Just; homelessness, treatment of vehicular housed individuals
Abdulla Megahad; general issues
Jodi Marty; Senior Environmental Control Officer layoffs

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030135 **[Extension of Planning Commission Review Period - Planning Code Section 207.2]**
Supervisors Peskin, Gonzalez

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend the San Francisco Planning Code by repealing Section 207.2 [Second Units] in its entirety, adding a new Section 207.2, and amending Section 209.1 to authorize one additional secondary unit limited to 750 square feet of gross floor area on a lot within 1250 feet of a Primary Transit Street or Transit center and also within 1250 feet of a Neighborhood Commercial or Commercial zoning district, on a lot containing a qualified historical building or where the unit is specifically designed and constructed for the elderly or persons with physical disabilities and to prohibit the owner from legalizing an illegal unit pursuant to the provisions of this ordinance; by amending Sections 135(d), Table 151 of Section 151 and 307(g) to establish the amount of open space and parking required for these secondary units.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 83-03
ADOPTED

030148 **[Urge State of California Legislature to cut prison spending and redirect money to fund education]**
Supervisors Sandoval, Daly, Gonzalez, Maxwell

Resolution urging the Governor of California and the California State Legislature to cut prison spending and redirect that money to fund education.

Supervisors Daly, Gonzalez and Maxwell requested to be added as co-sponsors.

Resolution No. 90-03
ADOPTED

030151 **[Proclaim Ella Brown Day]**
Supervisors Maxwell, Gonzalez, Newsom

Resolution proclaiming January 30, 2003 as Ella Brown Day in the City and County of San Francisco.

Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Resolution No. 85-03
ADOPTED

030152 **[Commend Twelve Civil Rights Activists]**
Supervisors Sandoval, Daly, Gonzalez

Resolution commending twelve civil rights activists featured in the Long Walk to Freedom Exhibition National Tour.

Supervisors Daly and Gonzalez requested to be added as co-sponsors.

Resolution No. 86-03
ADOPTED

030130 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-20
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Severed From Adoption Without Committee Reference

030105 **[Urge California Legislature to reject the Governor's proposed shift of local VLF revenues]**
Supervisors Maxwell, Ma, Dufty, McGoldrick, Daly, Peskin, Sandoval, Gonzalez

Resolution urging the California Legislature to reject the Governor's proposed shift of local VLF revenues and to honor the 1998 commitment to restore the VLF.

Supervisor Hall requested that this matter be severed so that it could be considered separately.
Supervisor Maxwell, seconded by Supervisor Ammiano, moved to suspend the Rules of Order to allow comment and a vote on the matter.
Motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

Resolution No. 82-03

Supervisor Maxwell, seconded by Supervisor Ammiano, moved that this Resolution be ADOPTED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030106 **[Urge Recreation and Park Department to retain Balboa Pool at its current location]**
Supervisors Sandoval, Maxwell

Resolution urging the Recreation and Park Department to retain the Balboa Pool at its current location and keep Balboa Park consistent with other public park uses.

Supervisor Hall requested that this matter be severed so that it could be considered separately.
Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to suspend the Rules of Order to allow comment and a vote on the matter.
Motion failed by the following vote:
Ayes: 4 - Hall, McGoldrick, Newsom, Sandoval
Noes: 7- Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, Peskin

Supervisor Maxwell requested to be added as a co-sponsor.

REFERRED to the Finance and Audits Committee.

030149 **[Urge State PUC to allocate $16 million for San Francisco Department of Environment]**
Supervisor Gonzalez

Resolution urging the California Public Utilities Commission to allocate $16 million from the Public Goods Charge to the San Francisco Department of Environment for an emergency Energy Efficiency program in San Francisco to begin immediately.

Supervisor Gonzalez requested that this matter be severed so that it could be considered separately.

President Gonzalez, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution urging the California Public Utilities Commission to allocate $16.3 million from the Public Goods Charge for an emergency Energy Efficiency program in San Francisco to begin immediately.

Resolution No. 84-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030153 **[City and School District Off-Site Meeting]**
Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on April 16, June 18, August 20, October 15, and December 17, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Supervisor Ammiano requested that this matter be severed so that it could be considered separately.

Supervisor Ammiano, seconded by Supervisor Maxwell, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Continued to February 11, 2003.

CONTINUED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Peskin, seconded by Supervisor Ammiano, moved ADOPTION of the Commentary Finding Act. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Peskin, seconded by Supervisor Ammiano, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030186 **[Commend Community News Service]**
Supervisors Gonzalez, McGoldrick

Resolution commending Community News Service for their Black History Month programming.

Resolution No. 87-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030187 **[Recognizing John Sinclair]**
Supervisor Gonzalez

Resolution recognizing John Sinclair.

Resolution No. 88-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030099 **[Extending annual condominium conversion limitation]**
Supervisors McGoldrick, Hall

Ordinance amending the San Francisco Subdivision Code Article 9, Section 1396 to extend the annual condominium conversion limitation for two additional years and providing for the conversion of specified buildings where a property owner submitted a subdivision application on or before January 21, 2003.

2/4/03 in Board: Supervisor McGoldrick submitted a substitute ordinance bearing new title.

1/21/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee. Sponsor requests that the Board President determine that this measure may be considered before the expiration of 30 days, as allowed under Rule 5.40 of the Board of Supervisors Rules of Order, because the measure simply continues existing City policy and does not create or revise major City policy.

Sponsor further requests that the measure not be scheduled for hearing until the Clerk of the Board of Supervisors consults with the City Attorney concerning special notice provisions for hearing this item.

2/4/03, SUBSTITUTED. Supervisor McGoldrick submitted a substitute ordinance bearing new title.

2/4/03, TRANSFERRED to Land Use Committee. New Committee structure 2/17/03.

030199 **[Revising graffiti clean-up requirements for property owners and revising enforcement and abatement procedures where property owners fail to remove graffiti]**
Supervisor Newsom

Ordinance amending Article 23 of the San Francisco Public Works Code by amending Sections 1302 through 1306, and adding a new Section 1307 to declare graffiti a public nuisance, eliminate the duty of the Director of Public Works to remove graffiti at no cost to property owners upon consent from the property owner, streamline review hearing procedures, and making technical corrections to, and renumbering renumber existing Sections 1307 through 1309 as Sections 1308 through 1310.
2/4/03, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

030203 **[Dogpatch Historic District]**
Supervisors Maxwell, Ammiano, McGoldrick, Dufty, Peskin, Gonzalez, Newsom

Ordinance amending the Zoning Map of the City and County of San Francisco to indicate the Dogpatch Historic District, the location and the boundaries of which are generally between Indiana and Third Street, odd and even addresses, from 18th to Tubbs Street, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
2/4/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.
2/5/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

022033 **[Grant Applications]**
Supervisors Sandoval, Gonzalez, Peskin

Ordinance amending San Francisco Administrative Code Section 10.170 to provide that all grant applications submitted by the City requesting funding for fifty thousand dollars or more shall be subject to approval by the Board of Supervisors by resolution, except for grant funds approved by the Mayor and the Board of Supervisors in the annual budget.

2/4/03 in Board: Supervisor Sandoval submitted a substitute ordinance bearing new title.
12/16/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 1/15/2003.
2/4/03, SUBSTITUTED. Supervisor Sandoval submitted a substitute ordinance bearing new title.
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

Resolutions

030181 **[Urging End to Discrimination in Marriage Law]**
Supervisors Ammiano, Daly, Dufty, Maxwell, Gonzalez

Resolution urging Governor Gray Davis and the California State Legislature to end discrimination against lesbian; gay; bisexual, and transgender people by repealing discriminatory marriage laws in California.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030182 **[Urging Exemption of Solar Energy Systems]**
Supervisor Ammiano

Resolution urging the California Public Utilities Commission to exempt all solar energy systems from exit fees and pursue policies that promote solar and other renewable energy sources.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030184 **[Layoffs]**
Supervisor McGoldrick

Resolution urging all San Francisco city departments in their budget plans to consider layoffs of temporary employees prior to those of permanent employees.
2/4/03, RECEIVED AND ASSIGNED to Budget Committee.

030188 **[Confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency]**
Mayor

Resolution confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006. (Mayor)
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030189 **[Confirming the appointment of Ben Hom to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006. (Mayor)

(Supervisor Hall excused from voting.)
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030190 **[Confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency]**
Mayor

Resolution confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending January 3, 2006. (Mayor)
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030191 **[Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006. (Mayor)
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030193 **[Expenditures from Zygmunt Arendt Estate]**
Supervisor Gonzalez

Resolution amending Resolution Number 302-99, which approved the following recommendations from the Executive Director of the Department of Human Services for expenditures from the Zygmunt Arendt estate: 1) to distribute the portion of the bequest designated for the most needy seniors and disabled children to organizations that serve those groups; and 2) to distribute the portion intended to assist the poor and needy on special supportive services for indigent adults participating in self-sufficiency programs who are otherwise ineligible for MediCal-funded services, such as dental, eye and medical care, and other basic needs not funded through existing programs; by approving modified recommendations from the Executive Director of the Department of Human Services as follows: 1) to allocate the portions designated for the poor and needy people of San Francisco and the most needy seniors for housing and related services for those designees.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030194 **[Dissolving the Mayor's Criminal Justice Council]**
Supervisor Hall

Resolution repealing Resolutions Nos. 89-71, 286-71, 359-71, 360-71, 608-71, 14-72, 578-72, 510-73, 934-74, 126-77, 26-78, 704-78, 412-82, 345-89, and 414-89, to dissolve the "Mayor's Criminal Justice Council."
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030195 **[Commend Raja Rahim]**
Supervisor Maxwell

Resolution commending Raja Rahim and other 2002 California Peace Prize awardees for their commitment and achievements in preventing violence in their communities and improving the health of the people of California.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030197 **[Supporting Senate Bill 915 and Senate Bill 916]**
Supervisors Newsom, Peskin

Resolution in support of funding future San Francisco ferry service from a portion of new state bridge toll revenues and San Francisco County sales tax extension revenues, and supporting the San Francisco Bay Area Water Transit Authority's Implementation and Operations Plan for creating those ferry services.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030202 **[US Flag Cruise Ships]**
Supervisor Newsom

Resolution urging the drafting of legislation to provide for foreign-built, U.S.-flag cruise ships in the coastal United States similar to the Inouye amendment for Hawaii.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030205 **[Mixed-use development project at 10th and Market Streets]**
Supervisors Daly, Dufty

Resolution endorsing the concept of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and directing City staff to identify the key terms and conditions of agreements effectuating such a project.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030161 **[Accept- Expend State Grant]**
Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately $178,750 from the California Energy Commission to support a peak load reduction project at Moscone Convention Center.

(No Public Benefit Recipient.)
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030162 **[Accept- Expend State Grant]**
Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately $2,127,054 from PG&E's Self-Generation Incentive Program to support a Design-Build contract for a renewable energy solar power plant project at the Moscone Convention Center.

(No Public Benefit Recipient.)
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030133 **[Loan application relating to the renovation of the San Francisco Marina]**
Supervisor Newsom

Resolution certifying the need for the renovation of the San Francisco Marina Small Craft Harbor; requesting a loan from the California Department of Boating and Waterways to finance the renovation of the San Francisco Marina Small Craft Harbor; approving the form of the loan application documentation and authorizing the submission of such documentation to the California Department of Boating and Waterways; and ratifying and approving actions taken in connection with the submission of the loan application.
2/4/03, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.

Requests for Hearing

030185 **[Community Courts system of appeals for citations issued by DPW]**
Supervisors McGoldrick, Dufty, Peskin, Ma

Hearing on the use of the Community Courts system of appeals for citations issued by the Department of Public Works' Environmental Control Officers.
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030198 **[Status of Entertainment Commission]**
Supervisors Peskin, Dufty

Hearing to review the upcoming implementation of the San Francisco Entertainment Commission, as approved by voters in November 2002. This hearing will focus on the progress made by a working group of City departments that has recently been convened to complete tasks necessary to initiate the Commission. The hearing will also explore additional steps that must be taken to implement the Commission by July 2003.
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030200 **[Ethics Commission Public Disclosure Regulations]**
Supervisor Peskin

Hearing regarding public disclosure regulations at the Ethics Commission. This hearing will review the freedom that employees of the Commission have to communicate with members of the public, considering recent administrative disciplining of Commission staff members.
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030201 **[Cable Television Franchise]**
Supervisor Sandoval

Hearing to consider benefits to the City and to subscribers relative to the City's granting of cable television franchises, in particular, public education and government (PEG) access channels and institutional networks (I-NETS).
2/4/03, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.

Motions

030175 **[Amend Rules of Order - Committee Size]**
Supervisor Gonzalez

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by amending Section 5.12 to provide that all standing and special committees shall be comprised of three Supervisors.
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030176 **[Appointment, Public Utilities Commission]**
Motion approving the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for the term ending January 15, 2007. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Companion measure to Files 030177 and 030178.
Transmittal date - January 30, 2003.
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030177 **[Appointment, Public Utilities Commission]**
Motion rejecting the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission. (Mayor)
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030178 **[Appointment, Public Utilities Commission]**
Motion taking no position concerning the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for term ending January 15, 2007. (Mayor)
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030180 **[Amending Rules 3.7 and 3.8 of the Rules of Order governing the reporting of legislation from Board Committees to the Board]**
Supervisor McGoldrick

Motion amending Rules 3.7 and 3.8 of the Rules of Order of the Board of Supervisors to provide that Board Committees have until 9:00 a.m. on Thursdays to report legislation to the Board for the following Tuesday's Board meeting, except that legislation reported by the Rules Committee at a Wednesday meeting must be submitted to the Clerk by 12:00 noon that day to be considered at the following Tuesday's meeting.
2/4/03, RECEIVED AND ASSIGNED to Rules and Audits Committee.

030183 **[Establish West Geary Boulevard Working Group]**
Supervisor McGoldrick

Motion establishing the West Geary Boulevard Working Group to review and analyze proposals for changes in land use and transportation along the Geary corridor west of Van Ness Avenue, including, but not limited to the Municipal Railway's "Visions for Rapid Transit in San Francisco," former Supervisor Leno's proposal for "Trans-Oriented Neighborhood Commercial Districts and Transit Intensive Special Use Districts," and to develop a consensus document exploring the advisability of increases in density along the Geary corridor west of Van Ness with corresponding improvements in transit service and other related neighborhood improvements, and recommending steps to realize such improvements.
2/4/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.
2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030192 **[Establishing San Francisco Zoo Audit Select Committee]**
Supervisor Gonzalez

Motion creating a San Francisco Zoo Audit Select Committee.
2/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030204 **[Legislative Analyst Budget Consideration]**
Supervisor Daly

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030081 **[Parking Regulations, Blanken Avenue]**
Supervisor Gonzalez

Ordinance deleting Section 28.5.5 of the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on Blanken Avenue between Bayshore Boulevard and Tunnel Avenue. (Parking and Traffic Department)
1/24/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.
2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030167 **[Patient Rates]**
Ordinance amending Section 128 of the San Francisco Health Code to revise selective patient rates for Mental Health services furnished by the Department of Public Health, retroactive to July 1, 2002, and to revise the passport application fee effective upon approval of this ordinance. (Public Health Department)

(No Public Benefit Recipient.)
1/22/03, RECEIVED AND ASSIGNED to Finance Committee.
2/5/03, TRANSFERRED to Finance and Audits Committee. New committee structure 2/17/03.

030159 **[Appropriate bond interest earnings for construction of the Asian Art Museum]**
Supervisors Sandoval, Newsom

Ordinance appropriating $2,251,170 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1996E and $1,491,120 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1999D for a total of $3,742,290 for construction costs to seismically upgrade and make various improvements and build outs to the Old Main Library building for the Asian Art Museum for fiscal year 2002-03. (Controller)

(Fiscal impact; No Public Benefit Recipient.)
1/28/03, RECEIVED AND ASSIGNED to Finance Committee.
2/5/03, TRANSFERRED to Finance and Audits Committee. New committee structure 2/17/03.

PROPOSED RESOLUTIONS

030128 **[Training programs for clinical and related professionals]**
Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an amendment to a contract agreement with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of $5,000 for research services; for the period of July 1, 2002 to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)
1/27/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.
2/4/03, TRANSFERRED to City Services Committee. New committee structure 2/17/03.

030147 **[Public Auction of Tax-defaulted Property]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

(No Public Benefit Recipient.)
1/22/03, RECEIVED AND ASSIGNED to Finance Committee.
2/5/03, TRANSFERRED to Finance and Audits Committee. New committee structure 2/17/03.

030161 **[Accept- Expend State Grant]**
Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately $178,750 from the California Energy Commission to support a peak load reduction project at Moscone Convention Center.

(No Public Benefit Recipient.)
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030162 **[Accept- Expend State Grant]**
Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately $2,127,054 from PG&E's Self-Generation Incentive Program to support a Design-Build contract for a renewable energy solar power plant project at the Moscone Convention Center.

(No Public Benefit Recipient.)
2/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030163 **[Accept-Expend Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)
1/29/03, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.
2/4/03, TRANSFERRED to City Services Committee. Transferred pursuant to new committee structure, 2/17/03.

030165 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Gennessee Street and Joost Avenue, stopping Gennessee Street and Joost Avenue, making this intersection an all-way STOP;
Castro Street, stopping northbound Castro Street at Bemis and Sussex Streets;
Milton I. Ross Street and Jerrold Avenue, stopping both eastbound and westbound Milton I. Ross Street; and Lettuce Lane and Jerrold Avenue, stopping eastbound Lettuce Lane at Jerrold Avenue. (Parking and Traffic Department)

(1/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2565; No Public Benefit Recipient.)
1/24/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.
2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030166 **[Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Russian Hill Place, east side, from Vallejo to 15 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Point Lobos Avenue, south side, from 40th Avenue to 80 feet westerly (adjacent to center roadway island).

TOW-AWAY, NO PARKING ANYTIME, 10 PM - 6 AM, EVERYDAY - ESTABLISH
Executive Park Boulevard, east side, between Alana Way and Blanken Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ervine Street, west side, from Wilde Street to 346 feet southerly;
South Park Avenue, both sides, from 2nd Street to 125 feet westerly; and
South Park Avenue, both sides, from 3rd Street to 125 feet easterly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY - ESTABLISH
18th Street, both sides, between 3rd and Tennessee Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
7th Street, west side, from 48 to 76 feet north of Townsend Street (accommodates six unmetered motorcycle parking spaces); and

UNMETERED MOTORCYCLE PARKING - ESTABLISH
8th Street, east side, from Division Street to 10.5 feet northerly (accommodates three unmetered motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
17th Street, both sides, between Shrader and Stanyan Streets (4900 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - RESCIND
Rose Street, north side, from Market Street to 26 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Arkansas Street, east side, from 50 feet south of 17th Street to Marioposa Street (100 block, starting with address #113); and
Arkansas Street, west side, between 17th and Mariposa Streets (100 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
25th Street, both sides, between Church and Dolores Streets (3800 block);
Church Street, both sides, between 25th and Clipper Streets. (portion of the 1300 block);
Fair Oaks Street, both sides, between 21st and 22nd Streets (Unit block); and
Valencia Street, east side, from 22nd to 23rd Streets (1100 block). (Parking and Traffic Department)

1/24/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030168 **[Accept-Expend State Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $9,765.23 from the California Integrated Waste Management Board for assistance in the development of markets for recycled and re-manufactured products. (Environment)

(No Public Benefit Recipient.)
1/27/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.
2/4/03, TRANSFERRED to City Services Committee. New committee structure 2/17/03.

Requests Granted

From: Supervisor Sandoval
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To report on the feasibility of painting red lines - "No Parking Lines" - on the corners of Moneda Way and Farragut. Also, requesting the Clerk of the Board send a carbon copy of this letter to: Naty Magpantay, 1 Moneta Way, San Francisco, 94112

From: Supervisor Sandoval
To: City Attorney
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To report on the procedure that must be followed to increase the fee assessed for valet parking permits and the different types of valet parking permits that are offered.

From: Supervisor Hall
To: Director, Department of Parking and Traffic
Requesting/Inquiring: To deliver copies of any traffic studies in the Stonestown Mall area performed by the Department in the last five years.

From: Supervisor McGoldrick
To: Ted Gaebler
Requesting/Inquiring: Requesting the Clerk of the Board work with Ted Gaebler's Office, author of Reinventing Government, on having Ted Gaebler speak to the Board as a Committee of the Whole.

In Memoriams

Paul Riofski (Supervisor Peskin)
Rodger Zeman (Supervisor Peskin)
Rose Devincenzi (Supervisor McGoldrick)
Jean McClatchy Bricker (Supervisor Newsom)
Lou Silver Harrison (Supervisors Ammiano, Dufty)
Dr. Samuel D. McFadden (Supervisor Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 8:27 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 4, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Tuesday, February 11, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689
Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Maxwell, Peskin, Ma, Ammiano, McGoldrick	1:00 PM
City and School District Committee Supervisors Ammiano, Dufty, Wynns, Mar	3rd Wednesday 3:00 PM
Finance Committee Supervisors Peskin, Daly, Maxwell	Wednesday 12:30 PM
Health and Human Services Committee Supervisors Daly, Dufty, Maxwell	1st and 3rd Thursday 1:00 PM
Neighborhood Services and Recreation Committee Supervisors Newsom, Dufty, McGoldrick	2nd and 4th Thursday 2:00 PM
Public Works and Public Protection Committee Supervisors Sandoval, Ma, Gonzalez	1st and 3rd Tuesday 10:00 AM
Rules and Audits Committee Supervisors Hall, Gonzalez, Sandoval	1st and 3rd Tuesday 1:00 PM
Transportation and Commerce Committee Supervisors McGoldrick, Hall, Ammiano	2nd and 4th Thursday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:02 p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Ammiano, Sandoval - 2

Quorum present.

Supervisor Sandoval was noted present at 2:05 p.m.

APPROVAL OF MEETING MINUTES

There were none.

Supervisor Ammiano Excused from Attendance

Supervisor Peskin, seconded by Supervisor Newsom, moved to excuse Supervisor Ammiano from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Privilege of the Floor

Supervisor Hall, seconded by Supervisor Peskin, moved suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Hall introduced, welcomed and presented a Certificate of Honor to delegates of Macau visiting the Chinatown Economic Development Group.

Supervisor McGoldrick introduced, welcomed and presented a Certificate of Honor to Loretta Lynch.

Supervisor Peskin introduced, welcomed and the Bureau of Streets and Maps in recognition of their hard work in the completion of the Broadway Tunnel project.

REGULAR AGENDA

UNFINISHED BUSINESS

From the Clerk

030196 **[Findings related to the conditional use appeal on property located at 2815 Diamond Street, southeast corner of Diamond and Wilder Streets, between Bosworth and Chenery]**

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0124CVR, which allows a lot size to exceed 9,999 square feet, permits nonresidential uses over 3,999 square feet (a branch library and grocery store), and allows a public use (library) on a site for a mixed-use development of 15 dwelling units, with approximately 9,200 gross square feet of public use and approximately 7,037 gross square feet of other retail sales and services use, per Section 303 of the Planning Code, in a NC-2, Small Scale Neighborhood Commercial District, and within the 40-X Height and Bulk District, located at 2815 Diamond Street, southeast corner of Diamond and Wilder Streets between Bosworth and Chenery Streets (Lots 025A, 026-029, and 063 in Assessor's Block 6745). (Clerk of the Board)

(Companion measure to Files 030007, 030008, 030009, 030010, 030013.)

Motion No. M03-25

APPROVED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendation of the Finance Committee

030118 **[Settlement of Lawsuit]**

Supervisors Gonzalez, Peskin, Daly, Newsom

Ordinance authorizing settlement of the lawsuit filed by the City and County of San Francisco against Modesto Irrigation District for Declaratory and Injunctive Relief to Validate Termination of Long-Term Power Sales Agreement; the City and County of San Francisco filed the lawsuit on August 16, 2001 in San Francisco Superior Court (San Francisco Superior Court Case No. 323848).

Supervisor Newsom requested to be added as a co-sponsor.

Ordinance No. 26-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendation of the Rules and Audits Committee

030039 **[Amend Administrative Code Article VIII, the San Francisco Museum and Historical Society Advisory Committee]**
Supervisors Peskin, Newsom, Maxwell, Gonzalez

Ordinance amending Article VIII of the San Francisco Administrative Code by amending Section 2A.166 to expand the membership of the San Francisco Museum and Historical Society Advisory Committee ("Committee"), to clarify the Committee's annual reporting requirements and to establish a minimum bi-monthly meeting schedule for the Committee.

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 25-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Transportation and Commerce Committee

020327 **[General Plan Amendment]**
Supervisors Daly, Gonzalez

Ordinance amending the text of the Downtown Element, Objective 12 (Conserve Resources that Provide Continuity with San Francisco's Past), of the City's General Plan to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1 Priority Policies. (Planning Department)

(Planning Commission Resolution No. 16345 adopted February 14, 2002, Case No. 02.1151TT; companion measure to File 020328.)

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 20-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

020328 **[Transferable Development Rights]**
Supervisors Daly, Gonzalez

Ordinance amending the San Francisco Planning Code by amending Section 128(c) to permit transfer of Transferable Development Rights (TDR) from historic/landmark structures within the Yerba Buena Center Redevelopment Project Area to C-3-O zoning districts; adopting findings relating to CEQA and Planning Code Section 101.1. (Planning Department)

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 21-03

FINALLY PASSED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 1 - Peskin
Excused: 1 - Ammiano

021941 **[Creating Underground District No. 359 on Octavia Street]**
Supervisors Newsom, Gonzalez

Ordinance approving Underground District No. 359 On Octavia Street. (Public Works Department)

(No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 24-03

FINALLY PASSED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 1 - Peskin
Excused: 1 - Ammiano

021886 **[Parking Regulations, portions of Hyde Street]**
Supervisors Gonzalez, Newsom

Ordinance adding Section 32.6.34 to the San Francisco Traffic Code, regarding parking regulations on portions of Hyde Street. (Parking and Traffic Department)

(No Public Benefit Recipient.)

Supervisors Gonzalez and Newsom requested to be added as co-sponsors.

Ordinance No. 23-03

FINALLY PASSED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 1 - Peskin
Excused: 1 - Ammiano

021687 **[Designate the Old U.S. Mint At 88 Fifth Street As a Landmark Under Planning Code Article 10]**
Supervisors Peskin, Ammiano, Hall, McGoldrick, Daly, Newsom, Maxwell, Gonzalez

Ordinance Designating 88 Fifth Street, The Old U.S. Mint, Block 3704, Lot 11, As Landmark No. 236 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 22-03

FINALLY PASSED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

NEW BUSINESS

Recommendations of the Finance Committee

021913 **[Expanding eligibility for the heart trouble and pneumonia presumption to certain members of the Police Department and Fire Department]**
Supervisors McGoldrick, Peskin, Daly, Maxwell, Sandoval, Hall, Gonzalez

Ordinance amending section 16.86 of the San Francisco Administrative Code to provide that certain prior service in another police or fire department shall be counted toward qualification for the heart trouble and pneumonia presumption.

(Fiscal impact.)

Supervisors Sandoval, Hall and Gonzalez requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

022029 **[To appropriate funding to accelerate a business tax collection program]**
Supervisors McGoldrick, Peskin, Daly, Gonzalez, Newsom, Ma, Maxwell

Ordinance appropriating $119,652 of Business Tax Revenues to the Treasurer/Tax Collector for the purpose of accelerating a business tax and penalties collection program, for fiscal year 2002-03.

(Fiscal impact.)

Supervisors Gonzalez, Newsom, Ma and Maxwell requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Ammiano

030045 **[Amending the Annual Salary Ordinance to expedite appointments by elected officials]**
Supervisor Daly

Ordinance amending the Annual Salary Ordinance to provide that elected officials enumerated in Article II and Section 6.100 of the San Francisco Charter may make appointments to permanent positions upon (1) verification by the Human Resources Director that the positions have been legally established and that the appointment is consistent with the Charter and applicable Civil Service Rules and (2) certification by the Controller that sufficient funds are available; and specifying that such appointments do not require approval by the Mayor.

(1/23/03 in Board: Supervisor Daly submitted a substitute ordinance approved as to form, bearing same title.) (Supervisor Maxwell Dissenting in Committee)

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Ordinance be REFERRED to the Budget Committee. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

021573 **[Extends time for performance of PUC contract CS-524 by 3 months under last year's funding appropriation, and reserves the Board's right to disapprove the continuation of the contract]**
Resolution approving Public Utilities Commission's three month extension of time for the San Francisco Water Alliance to complete work under the second year of the Program Management Services, CS-524; and extending the time from September 21, 2002 to December 21, 2002 when the Board may approve the continuation of the contract upon its review of the Commission's annual evaluation of the contract performance of the San Francisco Water Alliance. (Public Utilities Commission)

(No Public Benefit Recipient.)

Resolution No. 93-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030014 **[BART- MUNI Transfer Payment]**
Supervisors Peskin, Daly

Resolution approving an agreement between the City and County of San Francisco and the Bay Area Rapid Transit District authorizing payment to San Francisco Municipal Railway for transfer trips provided in FY2002 and FY2003. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Resolution No. 94-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030024 **[PUC Contract for Program Management Services, CS-524]**

Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) through February 28, 2003. (Public Utilities Commission)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 95-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030047 **[Recreation and Park--First Amendment to the Beach Chalet Lease]**

Mayor

Resolution approving the construction of a deck at the rear of the Beach Chalet Building and authorizing an amendment to the lease for the Beach Chalet restaurant. (Mayor)

Resolution No. 81-03

ADOPTED by the following vote:

Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Sandoval
Excused: 1 - Ammiano

030048 **[Issuance and Sale of Single Family Mortgage Revenue Bonds]**

Mayor, Supervisors Peskin, Daly, Hall, Gonzalez, Maxwell

Resolution approving, for purposes of Section 147(f) of the Internal Revenue Code of 1986, the issuance and sale of single family mortgage revenue bonds by the City and County of San Francisco in an aggregate principal amount not to exceed $36,000,000. (Mayor)

Supervisors Hall, Gonzalez and Maxwell requested to be added as co-sponsors.

Resolution No. 91-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Recommendations of the Rules and Audits Committee

030124 **[Directing Budget Analyst]**

Supervisors Gonzalez, Newsom, Daly

Motion directing the Board of Supervisors Budget Analyst to explore budget reduction strategies and revenue enhancement options and prepare recommendations for consideration by the Board of Supervisors Budget Committee for the fiscal year 2003-2004 Annual Appropriation Ordinance and Annual Salary Ordinance.

Supervisors Newsom and Daly requested to be added as co-sponsors.

Motion No. M03-21

APPROVED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030125 **[Directing the Budget Analyst]**
Supervisors Gonzalez, Daly

Motion directing the Budget Analyst to include policy recommendations, when deemed appropriate by the Budget Analyst, in its reports to the Board of Supervisors.

Supervisor Daly requested to be added as a co-sponsor.

Supervisor Dufty, seconded by Supervisor Newsom, moved that this Motion be REFERRED to the Finance Committee. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

030098 **[Hearing]**
Hearing to consider the proposed Fourth Street, Freelon Street, and Welsh Street Special Use District and Zoning Map Amendment. (Clerk of the Board)

(Companion measure to Files 030127, 020550, 020549.)

The President inquired if there was anyone present who wished to address the Board.

Speakers in Opposition: Sue Hestor, Jay Bradshaw, Member of Carpenter's Union, Male Speaker, Calvin Welch, David Lupo, Member of Carpenter's Union, Janis Staples, Carpenter, Chris Slattery, 4th Street Neighborhood, Female Speaker, Female Speaker, Marilyn Smith, Kenard McSwain, Christine Cockell

Speakers in Favor: Randy Shaw, Angus McCarthy, RBA, Joe O' Donoghue, RBA, Alice Barkley, Male Speaker, Tom McDonagh

The President declared the Public Comment portion of the meeting closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

Committee of the Whole Rise and Report Without Recommendation

Called from Finance Committee by Supervisor Daly

020549 **[Special Use District to allow an approved live/work project convert to residential]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low- and lower income households with income not exceeding 50% of San Francisco's median income, which shall remain affordable for a period of 50 years from their date of initial occupancy, and (iii) upon completion, land title shall be transferred to and the off-site affordable housing building shall be owned, managed and operated by a nonprofit housing organization. If the nonprofit housing organization is dissolved, the affordable housing building and land shall be transferred to another nonprofit housing organization or, if no such organization can be found, shall revert to the City. Approval of the market rate housing project shall be through a conditional use authorization with payment of a $10,000 fee if application is made within one year.

(Companion measure to File 020550; Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing new title.)
(1/21/03 From Planning Department: Executive Summary hearing on January 9, 2003 with attachments; Addendum to Final EIR dated November 7, 2002.)

Amended on page 8, line 5 by inserting "The Board of Supervisors has reviewed and considered the information contained in the Final Environmental Impact Report (dated September 7, 2000) and the Addendum (dated November 7, 2002) contained in Board of Supervisors File Nos. 020549 and 020550, and hereby adopts the California Environmental Quality Act ("CEQA") findings adopted by the Planning Commission in its Motion No. 15975, including the mitigation monitoring program, and hereby incorporates those findings herein as though fully set forth. Based on the Final Environmental Impact Report and the Addendum"; and on page 8, line 7 after "Board" by inserting "further"; and further amended on page 11 and page 12 Subsection (i) by deleting "or rear" and by adding "or" after "front"; and further amended to replace "56 units" with the word "56 dwellings".

Supervisor Daly, seconded by Supervisor Newsom, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

020550 **[Zoning Map Amendment]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.

(Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing same title.)

Continued to February 18, 2003
Supervisor Daly, seconded by Supervisor Maxwell, moved that this Ordinance be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

COMMITTEE REPORTS

Recommendation of the Finance Committee

021995 **[Revising administration of Police Emergency Alarm Ordinance]**
Mayor, Supervisor Daly

Ordinance amending the San Francisco Police Code by amending Sections 3702, 3707 through 3710, and 3711 through 3720, by adding Sections 3710.1 through 3710.9 and a new Section 3721, and by re-numbering current Section 3721 as Section 3722, to give the Director of Emergency Communications responsibility for administering the substantive provisions of the Police Emergency Alarm Ordinance and to provide for billing and collection of license and license renewal fees by alarm companies. (Mayor)

Amended on page 14, lines 21-22 after "any fee" by inserting "required to be" and after "required to" by inserting "collect and"
Supervisor Gonzalez requested to be added as a co-sponsor.
Supervisor Peskin, seconded by Supervisor Daly, moved that this Ordinance be AMENDED. The motion carried by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030102 **[Authorize DPW to accept and expend $20,911,134 to rehabilitate the Fourth Street Bridge over Mission Bay Channel]**
Supervisors Daly, Maxwell, Newsom

Resolution authorizing the Department of Public Works to retroactively accept and expend a grant in the amount of $8,438,760 in Federal Highway Bridge Replacement and Rehabilitation (HBRR) program funds, $9,977,898 in Federal Seismic funds, and $2,494,475 in State Seismic funds, for a total of $20,911,134 in grant funds from the Federal Department of Transportation (FHWA) through the State Department of Transportation (Caltrans) to seismically retrofit and rehabilitate the Fourth Street Bridge over the Mission Bay Channel Waterway in China Basin; reserving $488,733 in grant funds that may be returned to the General Fund without a need to release the reserve.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 96-03

ADOPTED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

From Rules and Audits Committee

030180 **[Amending Rules 3.7 and 3.8 of the Rules of Order governing the reporting of legislation from Board Committees to the Board]**
Supervisor McGoldrick

Motion amending Rules 3.7 and 3.8 of the Rules of Order of the Board of Supervisors to provide that Board Committees have until 9:00 a.m. on Thursdays to report legislation to the Board for the following Tuesday's Board meeting, except that legislation reported by the Rules Committee at a Wednesday meeting must be submitted to the Clerk by 12:00 noon that day to be considered at the following Tuesday's meeting.

Motion No. M03-24

APPROVED by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030154 **[Supervisors limited to three unexcused absences from Committee in a six-month period]**
Supervisor Peskin

Motion amending the Rules of the Board of Supervisors to provide that if a Supervisor has more than three unexcused absences from a Committee during a six-month period, the Supervisor shall have vacated the Committee position, and the President shall be requested to fill the Committee vacancy.

Continued to February 18, 2003

Supervisor McGoldrick, seconded by Supervisor Sandoval, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 7 - Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval
Noes: 3 - Daly, Ma, Peskin
Excused: 1 - Ammiano

030175 **[Amend Rules of Order - Committee Size]**
Supervisor Gonzalez

Motion amending the Rules of Order of the Board of Supervisors of the City and County of San Francisco, by amending Section 5.12 to provide that all standing and special committees shall be comprised of three Supervisors.

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to continue this matter to February 18, 2003.
Motion failed by the following vote:
Ayes: 2- McGoldrick, Sandoval
Noes: 8 - Daly, Dufty, Gonzalez, Hall, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1- Ammiano

Motion No. M03-23

APPROVED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030076 **[Supervisors serving on outside Boards and Commissions]**
Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board or Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board or Commission.

Failed Approval by the following vote:
Ayes: 6 - Daly, Gonzalez, Hall, Ma, Newsom, Peskin
Noes: 4 - Dufty, Maxwell, McGoldrick, Sandoval
Excused: 1- Ammiano

Supervisor Dufty, seconded by Supervisor Maxwell, moved to rescind the previous vote.
Motion passed by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 2 - Sandoval, McGoldrick
Excused: 1 - Ammiano

Supervisor Daly requested to be added as a co-sponsor.
Continued to Februaruy 18, 2003

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

030176 **[Appointment, Public Utilities Commission]**

Motion approving the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for the term ending January 15, 2007. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Companion measure to Files 030177 and 030178.
Transmittal date - January 30, 2003.

Continued to February 18, 2003

Supervisor Sandoval, seconded by Supervisor Hall, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Ma, Maxwell
Excused: 1 - Ammiano

ROLL CALL FOR INTRODUCTIONS

President Gonzalez recognized former Supervisor Richard Hongisto.

PUBLIC COMMENT

Abdullah Megaheed; homelessness issues and against the war
Jim Corrigan; proposals for reductions in the 2003-2004 City budget
Male Speaker; general issues
Steve Kalenesh; vehicular housing issues
Bernard Deitrich; vehicular housing issues
Female Speaker; vehicular housing issues
Eva Ballinridge; against the war
Female Speaker; general issues
Robert Bender; Park Merced Residents, Rent Board issues
Male Speaker; bicycle use

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 35 through 45

030153 **[City and School District Off-Site Meeting]**
Supervisor Ammiano

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on April 16, June 18, August 20, October 15, and December 17, 2003 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

Motion No. M03-22
APPROVED

030161 **[Accept- Expend State Grant]**
Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately $178,750 from the California Energy Commission to support a peak load reduction project at Moscone Convention Center.

(No Public Benefit Recipient.)

Resolution No. 97-03
ADOPTED

030162 **[Accept- Expend State Grant]**
Supervisor Maxwell

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of approximately $2,127,054 from PG&E's Self-Generation Incentive Program to support a Design-Build contract for a renewable energy solar power plant project at the Moscone Convention Center.

(No Public Benefit Recipient.)

Resolution No. 98-03
ADOPTED

030181 **[Urging End to Discrimination in Marriage Law]**
Supervisors Ammiano, Daly, Dufty, Maxwell, Gonzalez

Resolution urging Governor Gray Davis and the California State Legislature to end discrimination against lesbian; gay; bisexual, and transgender people by repealing discriminatory marriage laws in California.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 99-03
ADOPTED

030182 **[Urging Exemption of Solar Energy Systems]**
Supervisor Ammiano

Resolution urging the California Public Utilities Commission to exempt all solar energy systems from exit fees and pursue policies that promote solar and other renewable energy sources.

Resolution No. 100-03
ADOPTED

030193 **[Expenditures from Zygmunt Arendt Estate]**
Supervisor Gonzalez

Resolution amending Resolution Number 302-99, which approved the following recommendations from the Executive Director of the Department of Human Services for expenditures from the Zygmunt Arendt estate: 1) to distribute the portion of the bequest designated for the most needy seniors and disabled children to organizations that serve those groups; and 2) to distribute the portion intended to assist the poor and needy on special supportive services for indigent adults participating in self-sufficiency programs who are otherwise ineligible for MediCal-funded services, such as dental, eye and medical care, and other basic needs not funded through existing programs; by approving modified recommendations from the Executive Director of the Department of Human Services as follows: 1) to allocate the portions designated for the poor and needy people of San Francisco and the most needy seniors for housing and related services for those designees.

Resolution No. 89-03
ADOPTED

030195 **[Commend Raja Rahim]**
Supervisor Maxwell

Resolution commending Raja Rahim and other 2002 California Peace Prize awardees for their commitment and achievements in preventing violence in their communities and improving the health of the people of California.

Resolution No. 101-03
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Severed from Without Reference to Committee

Supervisor Sandoval requested this matter be severed so that it could be considered separately.

030197 **[Supporting Senate Bill 915 and Senate Bill 916]**
Supervisors Newsom, Peskin

Resolution in support of funding future San Francisco ferry service from a portion of new state bridge toll revenues and San Francisco County sales tax extension revenues, and supporting the San Francisco Bay Area Water Transit Authority's Implementation and Operations Plan for creating those ferry services.

REFERRED to the Land Use Committee.

Supervisor Daly requested this matter be severed so that it could be considered separately.

030202 **[US Flag Cruise Ships]**
Supervisor Newsom

Resolution urging the drafting of legislation to provide for foreign-built, U.S.-flag cruise ships in the coastal United States similar to the Inouye amendment for Hawaii.

Continued to February 18, 2003

Supervisor Sandoval, seconded by Supervisor Newsom, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

Supervisor Sandoval requested this matter be severed so that it could be considered separately.

030205 **[Mixed-use development project at 10th and Market Streets]**
Supervisors Daly, Dufty

Resolution endorsing the concept of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and directing City staff to identify the key terms and conditions of agreements effectuating such a project.

Supervisor Dufty requested to be added as a co-sponsor.

REFERRED to the City Services Committee.

Supervisor Gonzalez requested this matter be severed so that it could be considered separately.

030204 **[Legislative Analyst Budget Consideration]**
Supervisor Daly

Motion directing the Office of the Legislative Analyst to provide budget-related staff support to the Budget Committee and to provide a list of potential cost-saving measures resulting from this and other work to the Budget Committee for their consideration.

Motion No. M03-26

APPROVED by the following vote:
Ayes: 10 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Ammiano

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030221 **[Residential Rentals]**
Supervisor Peskin

Ordinance amending Administrative Code Chapter 49 "Security Deposits for Residential Rental Property," by amending Section 49.2 to provide that the annual landlord interest payments on security deposits shall be calculated at the interest rate in effect when an annual interest payment is due, and that any required pro rata interest payment shall be calculated at the interest rate in effect when that pro rata payment is due.
2/11/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/13/2003.

030224 **[Appropriation - Assessor-Recorder's Office]**
Supervisor Dufty

Ordinance appropriating $287,583 in surplus recording fees and re-appropriating $269,128 in equipment, materials and supplies and professional services for a total of $556,711, to cover shortfalls in salaries and services of other departments and for temporary salaries and fringes to address the backlog of deed processing, appraisals, permits, appeals in the Assessor-Recorder's Office for fiscal year 2002-03.

(Fiscal impact; No Public Benefit Recipient.)
2/11/03, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the February 19, 2003 meeting.

Resolutions

030219 **[Amended Power Purchase Contract]**
Supervisors Peskin, Daly

Resolution approving an amended contract with Calpine Energy Services for the purchase of electricity through June 30, 2006.

(Fiscal impact.)
2/11/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030220 **[International Museum of Women]**
Supervisors Daly, Dufty, Maxwell

Resolution exempting the potential lease of Pier 26 and Pier 24 annex to the International Museum of Women from the competitive bidding policy set forth in Administrative Code Section 2.6-1.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030225 **[Medical Marijuana Awareness Week]**
Supervisors Daly, Dufty

Resolution declaring February 15 through 22, 2003 as "Medical Marijuana Awareness Week" in San Francisco.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030226 **[Commend SF Police Officers - Mission Station]**
Supervisors Dufty, Hall

Resolution to commend the Officers of the San Francisco Police Department, Mission Station, for outstanding police work in apprehending a significant possible suspect in the recent spade of Noe Valley Neighborhood Home Burglaries.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030238 **[Commend Black History Month]**
Supervisors Maxwell, Dufty, Ma, Peskin, Daly

Resolution commending the recognition of Black History Month.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030240 **[Commend Papillon III San Francisco]**
Supervisor Ma

Resolution commending Papillon III San Francisco for its dedication and commitment to celebrating San Francisco's multicultural traditions.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030241 **[Commend Helen Sause]**
Supervisors Newsom, Dufty, Gonzalez, Daly

Resolution commending Helen Sause upon her retirement from the San Francisco Redevelopment Agency and for her numerous contributions to the City and County of San Francisco.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030242 **[BART Board of Directors Appointment - District 7]**
Supervisors Peskin, Maxwell, Hall, Dufty, McGoldrick, Daly, Newsom, Ma, Sandoval, Gonzalez

Resolution urging the BART Board of Directors to appoint a San Franciscan to the Board's currently vacant District 7 seat, due the essential role of San Francisco to BART and BART's critical role in San Francisco's transportation network.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030237 **[911 Digital Technology]**
Supervisors Newsom, Dufty, Ma, Maxwell

Resolution urging the Office of the District Attorney, the San Francisco Police Department, the Department of Telecommunications and Information Systems, the Emergency Communications Department, and the Department on the Status of Women to collaborate in order to consider and make recommendations on the advantages of bringing 911 digital technology to the City and County of San Francisco as another viable medium of combating domestic violence.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030222 **[Performance measures and timeline for pending work in the Assessor's Office]**
Supervisor Dufty

Hearing to analyze backlog of work of the Assessor's Office; (2) financial impacts of said backlog; and (3) analyze and establish performance timelines and performance measures for that office.
2/11/03, RECEIVED AND ASSIGNED to Finance Committee. Sponsor requests this item be scheduled for consideration at the 2/19/03 Finance meeting.

030223 **[Labor Negotiations]**
Supervisor Daly

Closed session hearing to consider the positions of all the City's labor negotiating teams and the timeline for memoranda of agreement to be developed and approved at the Board of Supervisors.
2/11/02, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the February 20, 2003 meeting.

030208 **[Hearing - Presentation on Exploitation of Youth.]**

Hearing before the full Board of Supervisors regarding the presentation of the recommendations from Task Force to End the Exploitation of Youth. (Clerk of the Board)

2/11/03, ASSIGNED to Board of Supervisors. Pursuant to File 030227, Board to sit as a Committee of the Whole on February 25, 2003, at 3:00 p.m.

030209 **[Hearing - Presentation on Reinventing Government]**

Hearing before the full Board of Supervisors regarding the presentation of Ted Gaebler, author of Reinventing Government. (Clerk of the Board)

2/11/03, ASSIGNED to Board of Supervisors. Pursuant to File 030239, Board to sit as a Committee of the Whole on February 25, 2003, at 3:00 p.m.

Motions

030217 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
2/11/02, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030218 **[Legislative Analyst Request]**
Supervisor McGoldrick

Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and reporting their recommendations to the Finance Committee.
2/11/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration February 18, 2003.
Sponsor requests the OLA to process the information and periodically make recommendations to the Finance Committee.

030239 **[Committee of the Whole - Presentation on Reinventing Government]**
Supervisor McGoldrick

Motion scheduling a Committee of the Whole on February 25, 2003, at 3:00 p.m. to hear Ted Gaebler, author of Reinventing Government.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030227 **[Committee of the Whole - Exploitation of Youth]**
Supervisors Ammiano, Maxwell, Dufty

Motion scheduling a Committee of the Whole for February 25th, 2003, at 3:00 p.m. to hear a presentation of the recommendations from Task Force to End the Exploitation of Youth.
2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030155 **[1250 Haight Street - Special Use District to create Haight Street Senior Affordable Housing]**

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create a Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Companion measure to Files 030155, 030156, 030157, 030158; Planning Resolution Nos. 16500 and 16501 adopting all four proposed Planning Code and Zoning Map amendments (Reclassification Application No. 2002.0451CTZ on December 19, 2002; Motion No. 16502 approving Conditional Use Application No. 2002.0451CTZ on December 19, 2002; Certificate of Determination/Exclusion from CEQA Environmental Review dated September 10, 2002; No Public Benefit Recipient.)

1/30/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030156 **[1250 Haight Street - Special Use District to create Special Height Exception for the Haight Street Senior Affordable Housing]**

Supervisors Gonzalez, Daly, Ma

Ordinance amending the San Francisco Planning Code by adding Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

1/30/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030157 **[1250 Haight Street - Zoning Map Change from RM-1 to RM-1 and Haight Street Senior Affordable Housing SUD]**

Supervisors Gonzalez, Daly, Ma

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property use classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from an RM-1 (Residential, Mixed, Low Density) District to an RM-1 (Residential, Mixed, Low Density) District and the Haight Street Senior Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

1/30/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

030158 **[1250 Haight Street - Zoning Map Change from 40-X to 40-X and 60-X Height and Bulk District]**

Supervisors Gonzalez, Daly, Ma

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property height classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from 40-X Height and Bulk District to 60-X Height and Bulk District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

1/30/03, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

2/4/03, TRANSFERRED to Land Use Committee. New committee structure 2/17/03.

PROPOSED RESOLUTIONS

030160 **[Accept-Expend Foundation Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Department of Environment to accept and expend a grant in the amount of $15,000 from the San Francisco Foundation for providing technical assistance to schools that are starting and maintaining organics waste collection programs. (Environment)

(No Public Benefit Recipient.)
2/4/03, RECEIVED AND ASSIGNED to Health and Human Services Committee.
2/7/03, TRANSFERRED to City Services Committee. Transferred pursuant to new committee structure, 2/17/03.
Supervisor Dufty requested to be added as a sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030211 **[Accept- Expend Federal Grant]**
Supervisors Dufty, Ma

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $50,000 from the U.S. Department of Energy for the promotion of renewable energy through the Million Solar Roofs Grant Program. (Public Utilities Commission)

(No Public Benefit Recipient.)
1/30/03, RECEIVED AND ASSIGNED to Public Works and Public Protection Committee.
2/4/03, TRANSFERRED to City Services Committee. Transferred pursuant to new committee structure, 2/17/03.
Supervisor Dufty requested to be added as a sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030214 **[Accept-Expend Gift]**
Supervisors Dufty, Ma, McGoldrick, Newsom

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of $52,000 from the Friends and Foundation of the San Francisco Public Library for the James C. Hormel Gay and Lesbian Center. (Public Library)

(No Public Benefit Recipient.)
2/3/03, RECEIVED AND ASSIGNED to Neighborhood Services and Recreation Committee.
2/4/03, REFERRED TO DEPARTMENT. Referred to Youth Commission for comment and recommendation.
Supervisor Dufty requested to be added as a sponsor.
Supervisor Ma requested to be added as a co-sponsor.

Requests Granted

From: Supervisor Newsom
To: Department of Public Health
Requesting/Inquiring: Inquiring about the status of the Feasibility Study Overview of the Trauma Center Air Medical Access program specifically:

"What are the trends in Level I Trauma utilization in the past decade in the City and County of San Francisco as well as neighboring counties?
"What are the projected levels of Level I Trauma use over the next decade given what we know about trauma service utilization in San Francisco and comparable urban areas?
"What does the medical and health service literature say about cost effectiveness of helicopter services in other urban American cities?
"How would the adoption of a Trauma Center Air Medical Access program impact SFGH's Emergency Department in light of its current challenges in delivering emergency medical services and, more specifically, the fact that SFGH goes on diversion 40% of the time to other patients including many SF residents?
"What is the proposed time line to operationalize a Trauma Center Air Medical Access program?
"What efforts have been made to update the community members residing near San Francisco General Hospital on the feasibility of launching a Trauma Center Air Medical Access program?
"Is the San Francisco General Hospital coordinating its long range planning efforts in conjunction with its response to Senate Bill 1953, the Hospital Seismic Safety Act and other regulatory requirements?

From: Supervisor Newsom
To: Director, Mayor's Office of Criminal Justice
Requesting/Inquiring: Inquiring of any efforts being taken by MCJC to fully incorporate the domestic violence module into the JUS.T.I.S. Governance Council, and in particular, any budgetary actions being planned for the support of this module in the FY 2003-04 proposed budget.

From: Supervisor Maxwell
To: Department of Parking and Traffic
Requesting/Inquiring: To conduct a traffic study at the intersections of Delta and Harkness and Mills and Harkness. Specifically, Supervisor Maxwell would like DPT to investigate and explore remedies to ensure the safety of the students and parents utilizing these intersections. In particular, DPT should consider the installations of "School Crossing" signage and painting "large yellow stripping" at these intersections. Students, parents and teachers from El Dorado Elementary School heavily utilize these intersections to and from school.

Supervisor Maxwell request that this report is provided to her office by March 31, 2003.

From: Supervisor Maxwell
To: City Attorney
Requesting/Inquiring: To draft legislation to increase small business participation in City contracting. Supervisor Maxwell proposes creating a City requirement that City departments achieve an annual 25% small business participation level in City contracting, mirroring the State requirement stipulated in Executive Order D-37-01.

In Memoriams

Hanna Fromm (Supervisor Ma)
Carlos Perez (Supervisor Newsom)
Noriko Sawada Bridges Flynn (Supervisor Peskin)
Manda Tessmann

ADJOURNMENT

There being no further business, the Board at the hour of 6:50 p.m. adjourned.

Gloria L. Young, Clerk

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 4, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
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Tuesday, February 18, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor McGoldrick - 1

Quorum present.

Supervisor McGoldrick was noted present at 2:06 p.m.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Peskin, moved to approve January 21, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

Privilege of the Floor

Supervisor Sandoval, seconded by Supervisor Dufty, moved to suspend the Rule 4.28 of the Rules of Order of the Board of Supervisors. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

Members of the Board Supervisors introduced, welcomed and presented Certificates of Honor to the following individuals in recognition of Black History Month:
Joe Tasby J. III, Kyra Worthy, Joyce Armstrong, Dorris Vincent, Rosemary Rothstein, Ron Dicks, Barbara Brown, Gaylon Logan, Joyce Armstrong, Dwayne Jones, Gregory Richardson, Beverly Williams, Benita Grayson, Bethola Harper, Cynthia Wilks and Lorraine Bender.

COMMUNICATIONS

There were none.

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance Committee

021913 **[Expanding eligibility for the heart trouble and pneumonia presumption to certain members of the Police Department and Fire Department]**
Supervisors McGoldrick, Peskin, Daly, Maxwell, Sandoval, Hall, Gonzalez

Ordinance amending section 16.86 of the San Francisco Administrative Code to provide that certain prior service in another police or fire department shall be counted toward qualification for the heart trouble and pneumonia presumption.

(Fiscal impact.)

Ordinance No. 29-03
FINALLY PASSED by the following vote:
Ayes: 9 - Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Ammiano, Ma

021995 **[Revising administration of Police Emergency Alarm Ordinance]**
Mayor, Supervisors Daly, Gonzalez, Peskin, Maxwell

Ordinance amending the San Francisco Police Code by amending Sections 3702, 3707 through 3710, and 3711 through 3720, by adding Sections 3710.1 through 3710.9 and a new Section 3721, and by re-numbering current Section 3721 as Section 3722, to give the Director of Emergency Communications responsibility for administering the substantive provisions of the Police Emergency Alarm Ordinance and to provide for billing and collection of license and license renewal fees by alarm companies. (Mayor)

Supervisors Peskin and Maxwell requested to be added as co-sponsors.
Ordinance No. 30-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

022029 **[To appropriate funding to accelerate a business tax collection program]**
Supervisors McGoldrick, Peskin, Daly, Gonzalez, Newsom, Ma, Maxwell

Ordinance appropriating $119,652 of Business Tax Revenues to the Treasurer/Tax Collector for the purpose of accelerating a business tax and penalties collection program, for fiscal year 2002-03.

(Fiscal impact.)

Ordinance No. 31-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

Called from Finance Committee by Supervisor Daly

020549 **[Special Use District to allow an approved live/work project convert to residential]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create the Fourth and Freelon Streets Special Use District encompassing the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street and by adding Section 263.16 to create special height and bulk exceptions for the Fourth and Freelon Streets Special Use District, which would allow previously approved but unbuilt live/work units to convert to market-rate residential units and additional market-rate residential units to be constructed with an allowable increase in height from 50' to 85' and a dwelling unit density governed by the permissible building envelope; provided that (i) the developer shall construct at the developer's sole expense, on land owned or purchased by the developer in either the South of Market Area or the North of Market Residential Special Use District, off-site affordable rental housing with square footage equal to 15% of the total residential units to be constructed offset by the cost of land acquisition, with a minimum of 56 units constructed of no less than 400 square feet each, (ii) the units shall be rental units affordable to low- and lower income households with income not exceeding 50% of San Francisco's median income, which shall remain affordable for a period of 50 years from their date of initial occupancy, and (iii) upon completion, land title shall be transferred to and the off-site affordable housing building shall be owned, managed and operated by a nonprofit housing organization. If the nonprofit housing organization is dissolved, the affordable housing building and land shall be transferred to another nonprofit housing organization or, if no such organization can be found, shall revert to the City. Approval of the market rate housing project shall be through a conditional use authorization with payment of a $10,000 fee if application is made within one year.

Ordinance No. 27-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

020550 **[Zoning Map Amendment]**
Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending the Zoning Map of the City and County of San Francisco to change the use classification and the height and bulk designation of the property zoned Service Light Industrial and bounded by Fourth Street, Freelon Street, Zoe Street and Welsh Street.

(Final Environmental Impact Report, dated September 7, 2000)
(12/9/02 in Board: Supervisor Daly submitted a substitute ordinance bearing same title.)

Ordinance No. 28-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of Rules and Audits Committee

030154 **[Supervisors limited to three unexcused absences from Committee in a six-month period]**
Supervisor Peskin

Motion amending the Rules of the Board of Supervisors to provide that if a Supervisor has more than three unexcused absences from a Committee during a six-month period, the Supervisor shall have vacated the Committee position, and the President shall be requested to fill the Committee vacancy.

NOT APPROVED by the following vote:
Ayes: 4 - Daly, Hall, Ma, Peskin
Noes: 7 - Ammiano, Dufty, Gonzalez, Maxwell, McGoldrick, Newsom, Sandoval

030076 **[Supervisors serving on outside Boards and Commissions]**
Supervisors Gonzalez, Daly

Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board of Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board or Commission.

Amended on page 1, line 17 after "appointed to a" by inserting "a first term of"
Supervisor Daly, seconded by Supervisor Peskin, moved that this Motion be AMENDED. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Motion amending Rule 6.15 of the Rules of Order of the Board of Supervisors to provide that before a Supervisor may be appointed to a second outside Board or Commission (excluding the San Francisco LAFCO and the Transportation Authority) every other Supervisor shall have been given the opportunity to serve on at least one outside Board or Commission.

Motion No. M03-28
APPROVED AS AMENDED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030176 **[Appointment, Public Utilities Commission]**
Motion approving the Mayor's re-appointment of Ashok Bhatt to the Public Utilities Commission, for the term ending January 15, 2007. (Mayor)

Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the appointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of appointment, and that failure of the Board to reject the appointment by two-thirds vote within the thirty day period shall result in the appointee continuing to serve as appointed. Companion measure to Files 030177 and 030178.
Transmittal date - January 30, 2003.

Motion No. M03-29
APPROVED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendation of the Finance Committee

030031 **[Establishing Monthly Contribution Amount]**
Resolution establishing monthly contribution amount to Health Service Trust Fund. (Human Resources Department)

(No Public Benefit Recipient.)

Resolution No. 103-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

COMMITTEE REPORTS

From the Finance Committee

030132 **[Funding for the investigation and litigation against Tutor-Saliba Construction]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, McGoldrick, Maxwell

Ordinance appropriating, retroactive to July 1, 2002, $2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.

(Fiscal impact.)

Supervisor Hall moved to continue this matter until the Director of the Airport is available and to hold a joint meeting with the Board of Supervisors and the Airport Commission.
Motion failed for lack of a second.

Supervisors Ammiano, Gonzalez, McGoldrick and Maxwell requested to be added as co-sponsors.

Supervisor Newsom noted absent at 7:00 p.m.
PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

030145 **[Contingency Fee Agreement]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Newsom, McGoldrick, Maxwell

Resolution approving and authorizing a contingency fee agreement between the City and a law firm selected by the City Attorney, in connection with the litigation initiated by the City Attorney against Tutor-Saliba Corporation and related entities over construction projects at the San Francisco International Airport.

(Fiscal impact; Companion measure to File 030132.)

Supervisors Ammiano, Gonzalez, Newsom, McGoldrick and Maxwell requested to be added as co-sponsors.

Resolution No. 110-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Ernestine Wiess; housing issues
John Zankel; against War in Iraq
Abdulla Megahed; against War in Iraq
Male Speaker; EDD issues
Peter Armour; Buena Vista Elementary School; pedestrian safety issues 24th and 25th Potrero Streets
Roger Baisley; former President of PTA traffic issues and thanked Supervisor Ammiano for efforts
David Parker; congratulated President Gonzalez on his Presidency and newly elected Supervisors Ma and
Bevan Dufty; appointment process issues proposed Charter amendment
James Chaffee; public library issues
Karen Stone; CalPine issues
Bailey Armstrong, SF Buena Vista Elementary student
Bob Armstrong, parent of SF Buena Vista Elementary students; pedestrian issues at 24th and 25th and Potrero Streets
Parent of a student at Buena Vista Elementary student; pedestrian issues at 24th and 25th and Potrero Streets
Evette Rodriguez; parent of SF Buena Vista Elementary student; pedestrian issues at 24th and 25th and Potrero Streets
Sasha Cutler, member, PTA Buena Vista Elementary School; pedestrian issues at 24th and 25th and Potrero Streets

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

030218 **[Legislative Analyst Request]**
Supervisor McGoldrick

Motion directing the Office of Legislative Analyst to process suggestions by City employees on reducing or eliminating City expenditures and reporting their recommendations to the Finance Committee.

Motion No. M03-31

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff

030086 **[Existing Litigation - City and County San Francisco v. Tutor Saliba Corp.]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following litigation filed by the City and County of San Francisco. The litigation involves allegations of fraudulent practices on the part of City contractors involved in building the new international terminal at San Francisco International Airport.

City and County of San Francisco, et al. v. Tutor-Saliba Corporation, et al.
U. S. District Court No. C 02 5286, filed 11/1/02

The Closed Session is permitted by California Government Code Section 54956.9 (a) and Administrative Code (Sunshine Ordinance) Section 67.10 (d) (1), and discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the existing litigation. (City Attorney)

Supervisor Peskin, seconded by Supervisor Daly, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Motion that the Board of Supervisors convene in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (b) & (c), and Administrative Code Section 67.10, for the purpose of conferring with, or receiving advice from, the City Attorney, regarding the proposed settlement listed above.

Recess

The Board recessed at the hour of 4:25 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:36 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval, - 10

Quorum present.

Supervisor Newsom noted absent at 7:00 p.m.
Supervisor Daly noted absent at 7:33 p.m.
Supervisor Daly noted present at 7:38 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Dennis Herrera, City Attorney
Jo Hoeper, Deputy City Attorney
Gayle Gribble, Deputy City Attorney
Rob Maerz, Deputy City Attorney
Terry Stewart, Deputy City Attorney
Ted Lakey, Deputy City Attorney;
Outside Counsel Farella, Braun & Martel
Douglas Young, Alan Harris and Stephanie Powers Skaff
Jackson Wong, Acting Chief Officer, SF INT'L Airport
Mara Rosales, Deputy Director Regulations and Legislative Affairs
Commissioner Mike Strunsky, Airport Commissioner
Commissioner Larry Mazzola, Airport Commissioner
Gloria L. Young, Clerk of the Board;
Ed Harrington, Controller
Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Ammiano, seconded by Supervisor Daly, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030225 **[Medical Marijuana Awareness Week]**
Supervisors Daly, Dufty

Resolution declaring February 15 through 22, 2003 as "Medical Marijuana Awareness Week" in San Francisco.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 104-03
ADOPTED

030238 **[Commend Black History Month]**
Supervisors Maxwell, Dufty, Ma, Peskin, Daly

Resolution commending the recognition of Black History Month.

Supervisors Peskin and Daly requested to be added as co-sponsors.

Resolution No. 105-03
ADOPTED

030240 **[Commend Papillon III San Francisco]**
Supervisor Ma

Resolution commending Papillon III San Francisco for its dedication and commitment to celebrating San Francisco's multicultural traditions.

Resolution No. 106-03
ADOPTED

030241 **[Commend Helen Sause]**
Supervisors Newsom, Dufty, Gonzalez, Daly

Resolution commending Helen Sause upon her retirement from the San Francisco Redevelopment Agency and for her numerous contributions to the City and County of San Francisco.

Supervisors Dufty, Gonzalez and Daly requested to be added as co-sponsors.

Resolution No. 107-03
ADOPTED

030242 **[BART Board of Directors Appointment - District 7]**
Supervisors Peskin, Maxwell, Hall, Dufty, McGoldrick, Daly, Newsom, Ma, Sandoval, Gonzalez

Resolution urging the BART Board of Directors to appoint a San Franciscan to the Board's currently vacant District 7 seat, due the essential role of San Francisco to BART and BART's critical role in San Francisco's transportation network.

Resolution No. 92-03
ADOPTED

030206 **[Final Map for a 5 Unit Mixed Use Condominium Project]**
Motion approving Final Map of 2801 Octavia Street / 1800 Union Street, A Mixed Use Condominium Project, being a subdivision of Lot 7 in Assessor's Block No. 530, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient.)

Motion No. M03-27
APPROVED

030217 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-30
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Severed From Without Reference to Committee

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030202 **[US Flag Cruise Ships]**
Supervisor Newsom

Resolution urging the drafting of legislation to provide for foreign-built, U.S.-flag cruise ships in the coastal United States similar to the Inouye amendment for Hawaii.

Supervisor Daly requested this matter be referred to Committee.
REFERRED to the Land Use Committee.

Supervisor Daly requested that this matter be severed so that it could be considered separately.

030220 **[International Museum of Women]**
Supervisors Daly, Dufty, Maxwell

Resolution exempting the potential lease of Pier 26 and Pier 24 annex to the International Museum of Women from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

Supervisors Dufty and Maxwell requested to be added as co-sponsors.
Supervisor Daly, seconded by Supervisor Ammiano, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution exempting the potential lease of Pier 26 to the International Museum of Women from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

Supervisor Hall requested that this matter be referred to Committee.
REFERRED to the Finance and Audits Committee.

Supervisor Dufty requested that this matter be severed and considered separately.

030226 **[Commend SF Police Officers - Mission Station]**
Supervisors Dufty, Hall

Resolution to commend the Officers of the San Francisco Police Department, Mission Station, for outstanding police work in apprehending a significant possible suspect in the recent spade of Noe Valley Neighborhood Home Burglaries.

Amended on page 1, line 5, to replace "spade" with "spate". (New Title)

Supervisor Hall requested to be added as a co-sponsor.
Supervisor Dufty, seconded by Supervisor Daly, moved that this Resolution be AMENDED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Resolution to commend the Officers of the San Francisco Police Department, Mission Station, for outstanding police work in apprehending a significant possible suspect in the recent spate of Noe Valley Neighborhood Home Burglaries.

Continued to February 25, 2003

President Gonzalez, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Absent: 1 - Newsom

Supervisor Gonzalez requested that this matter be severed so that it could be considered separately.

030237 **[911 Digital Technology]**
Supervisors Newsom, Dufty, Ma

Resolution urging the Office of the District Attorney, the San Francisco Police Department, the Department of Telecommunications and Information Systems, the Emergency Communications Department, and the Department on the Status of Women to collaborate in order to consider and make recommendations on the advantages of bringing 911 digital technology to the City and County of San Francisco as another viable medium of combating domestic violence.

Supervisor Gonzalez requested that this matter be referred to Committee.

REFERRED to the City Services Committee.

Supervisor Ma requested that this matter be severed so that it could be considered separately.

Supervisors Daly and Peskin noted absent at 8:05 p.m.

030239 **[Committee of the Whole - Presentation on Reinventing Government]**
Supervisor McGoldrick

Motion scheduling a Committee of the Whole on February 25, 2003, at 3:00 p.m. to hear Ted Gaebler, author of Reinventing Government.

NOT APPROVED by the following vote:

Ayes: 5 - Ammiano, Dufty, Maxwell, McGoldrick, Sandoval
Noes: 3 - Gonzalez, Hall, Ma
Absent: 3 - Daly, Newsom, Peskin

Supervisor Ma requested that this matter be severed so that it could be considered separately.

030227 **[Committee of the Whole - Exploitation of Youth]**
Supervisors Ammiano, Maxwell, Dufty

Motion scheduling a Committee of the Whole for February 25th, 2003, at 3:00 p.m. to hear a presentation of the recommendations from Task Force to End the Exploitation of Youth.

NOT APPROVED by the following vote:
Ayes: 5 - Ammiano, Dufty, Ma, Maxwell, McGoldrick
Noes: 3 - Gonzalez, Hall, Sandoval
Absent: 3 - Daly, Newsom, Peskin

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Sandoval, seconded by Supervisor Dufty, moved ADOPTION of the Commentary Funding Act. The motion carried by the following vote:
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval
Absent: 3 - Daly, Newsom, Peskin

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Sandoval, seconded by Supervisor Daly, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:
Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval
Absent: 3 - Daly, Newsom, Peskin

030268 **[Proclaiming February 19, 2003 Day of Remembrance in San Francisco]**
Supervisor Sandoval

Resolution proclaiming February 19, 2003 Day of Remembrance in San Francisco to commemorate the grave injustice done to Japanese Americans placed in internment camps during Word War II.

Resolution No. 108-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval
Absent: 3 - Daly, Newsom, Peskin

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030267 **[Funding for emergency removal and repair of Drydock #1]**
Supervisor Peskin

Ordinance re-appropriating $2,000,000 of Port surplus capital funding from projects that have been completed, funded by a grant source, or that are low priority to fund contractual obligations for emergency removal and repair of Drydock #1 for the Port or fiscal year 2002-03, allowing for retroactivity.

(Fiscal impact.)
2/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030271 **[Passenger-Carrying Commercial Motor Vehicle Restrictions]**
Supervisor Newsom

Ordinance adding Sections 1184 and 1184.1 to the San Francisco Police Code to prohibit commercial motor vehicles with seating capacity for twenty-five or more passengers from certain streets and areas, and establishing 6th Avenue between Kirkham Street and Lincoln Way as a restricted area.
2/18/03, RECEIVED AND ASSIGNED to Land Use Committee.

030244 **[Funding for the Municipal Transportation Agency for capital projects.]**
Ordinance appropriating $35,506,484 of Breda lease-leaseback revenue to provide funding for capital projects addressing service reliability, accessibility improvements, safety improvements, facility modifications, environmental enhancements, and capacity expansion as identified by the Municipal Transportation Agency for fiscal year 2002-03. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)
2/14/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030245 **[Funding for the program management services for PUC capital projects]**
Mayor

Ordinance appropriating $5,600,000 of fund balance from the Water Department, $560,000 of fund balance from Hetch Hetchy, and $840,000 of fund balance from Clean Water for a total of $7,000,000 for program management services for the Public Utilities Commission's capital projects for fiscal year 2002-03. (Mayor)

(No Public Benefit Recipient.)
2/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Resolutions

030266 **[Continuation of Public Utilities Commission's contract for Program Management Services]**
Supervisor Dufty

Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) for a third year.

(No Public Benefit Recipient.)
2/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030268 **[Proclaiming February 19, 2003 Day of Remembrance in San Francisco]**
Supervisor Sandoval

Resolution proclaiming February 19, 2003 Day of Remembrance in San Francisco to commemorate the grave injustice done to Japanese Americans placed in internment camps during Word War II.
2/18/03, ADOPTED.

030275 **[Accept- Expend State Grant]**
Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $106,686 from the California Resources Agency - Coastal Impact Assistance Program for the Downtown Ferry Terminal Public Pier Project.
2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030277 **[Supporting Sustainable Harvesting and Labeling of Seafood]**
Supervisor Sandoval

Resolution supporting the promotion of sustainable harvesting and labeling of seafood in San Francisco restaurants and markets.
2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030278 **[Supporting Protection of Chilean Sea Bass]**
Supervisor Sandoval

Resolution urging the U.S. government to achieve greater protections for Chilean Sea Bass and urging all chefs, retailers, wholesalers and consumers to stop consuming Chilean Sea Bass until action is taken to protect Chilean Sea Bass from extinction.
2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030279 **[GlaxoSmithKline Boycott]**
Supervisors Sandoval, Daly

Resolution urging GlaxoSmithKline to reconsider its decision to stop distribution of prescription drugs to Canadian pharmacies that sell to U.S. customers.
2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearings

030270 **[Traffic safety issues surrounding Buena Vista Elementary School]**
Supervisor Ammiano

Hearing to consider traffic safety issues surrounding Buena Vista Elementary School.
2/18/03, RECEIVED AND ASSIGNED to City and School District Select Committee. Sponsor requests this item be scheduled for consideration at the February 26, 2003 meeting.

030272 **[Earned Income Tax Credit]**
Supervisor Newsom

Hearing to review the federal program, Earned Income Tax Credit (EITC), and to discuss ways in which to pursue training of City employees in order to maximize access to the EITC for San Francisco residents, including discussion of: (1) Strategies to increase access to services for working people to assist them in claiming their earned tax credits; (2) Role of the City in increasing the flow of federal dollars to local families; (3) Consideration of input from the community service providers that currently provide these services and how the City may support their efforts; (4) How City departments will receive training on assisting eligible individual City workers to access the EITC; (5) Collaborating with the San Francisco United School District, City College of San Francisco, San Francisco State University on this outreach and educational effort; (6) Possible strategies to best reach out to the restaurant and hotel industry employees in order to assist them in claiming their earned tax credits.
2/18/03, RECEIVED AND ASSIGNED to City Services Committee.

030280 **[Presentation on Exploitation of Youth]**
Supervisor Ammiano

Hearing to consider the presentation of the Task Force to End the Exploitation of Youth.
2/18/03, RECEIVED AND ASSIGNED to City Services Committee. Sponsor requests this item be scheduled for consideration at the February 27, 2003.

Motions

030265 **[Extending Time for Negotiations]**
Mayor

Motion extending time for negotiations pursuant to Charter Section 11.100. (Mayor)
2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030269 **[Canceling the March 11, 2003 Board of Supervisors Meeting]**
Motion canceling the March 11, 2003, regularly scheduled meeting of the Board of Supervisors. (Clerk of the Board)
2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030146 **[Changing Official Width of Sidewalk]**
Supervisor Hall

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1558 to change the official sidewalk width at the southeast and southwest corners of Woodside and Idora Avenues; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)
2/7/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

030179 **[Lease of Real Property]**
Resolution authorizing the exercise of a five year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)
2/10/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

Requests Granted

From: Supervisor Ammiano
To: Police Department
Department of Parking and Traffic
Department of Public Health
Requesting/Inquiring: To send representatives to the City and School District Committee hearing on February 26, 2003 to address traffic safety issues surrounding Buena Vista Elementary School.

From: Supervisor Ammiano
To: Director, San Francisco Housing Authority
Requesting/Inquiring: Inquiring about the feasibility of erecting a permanent fence at the dead end of Anderson Street.

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To report on the status of November 2002 Prop S Declaration of Policy to explore the possibility of establishing a program whereby the City would grow medical cannabis and distribute it to patients.

From: Supervisor Ammiano
To: Director, Parking and Traffic
Requesting/Inquiring: Requesting a response to proposed traffic safety improvements suggested by the neighborhood surrounding Buenas Vista Elementary School and parents of children at the school. (See attached.)

From: Supervisor Hall
To: Mayor's Office of Business and Economic Development
Requesting/Inquiring: To provide a response to the Los Angeles-based Kosmont Cos. and Rose Institute of State and Local Government report which claims San Francisco is the most expensive City in the State of California to do business.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft an amendment to the Minority/Women/Local Business Utilization Ordinance that will provide greater possibilities for local businesses to earn city contracts.

From: Supervisor Sandoval
To: BART and CALTRANS
Requesting/Inquiring: Inquiring about the feasibility of installing a fence along the St. Charles overpass leading to the Daly City BART Station for the safety of pedestrians and to prevent items from being thrown onto highway 280 from the overpass.

Also requesting the Clerk of the Board to send a copy of the letter of inquiry and response to:

Jenny Yan
3922 Alemany Blvd.
San Francisco, CA 94112

From: Supervisor Sandoval
To: MUNI

Requesting/Inquiring: Inquiring about installing poles in the sidewalk around the ARCO gas station at the intersection of Geneva and Naples to protect pedestrians and MUNI riders waiting at the bus stop from cars exiting the gas station.

Also requesting the Clerk of the Board to send a copy of the letter and response to:

Frank Tai
70 Oneida Avenue
San Francisco, CA 94112

From: Supervisor Sandoval
To: Public Utilities Commission
Requesting/Inquiring: Inquiring about the reason why there is yellow water coming out of taps in homes located on Pretor Way.

In Memoriams

Elizabeth Dominguez (Entire Board)
Morton Lieberman (Supervisor Dufty)
Hugo Enrique Ireta (Supervisor Dufty)
Dona Elsbernd (Supervisor Hall)
Maurice Eben (Supervisor Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 8:15 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 18, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.
DEC - 3 2003
SAN FRANCISCO PUBLIC LIBRARY

Tuesday, February 25, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01 p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor McGoldrick - 1

Quorum present.

Supervisor McGoldrick was excused from attending today's meeting. (See Infra)

Supervisor McGoldrick Excused from Attendance

Supervisor Peskin, seconded by Supervisor Maxwell, moved to excuse Supervisor McGoldrick from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

APPROVAL OF MEETING MINUTES

Supervisor Newsom, seconded by Supervisor Daly, moved to approve January 27, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Sandoval, moved to suspend Rule 4.28 of the Board of Supervisors to grant the privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

Supervisors Maxwell introduced, welcomed and presented a Certificate of Honor to members of the Les Percussions De Guinee.

Supervisor Ammiano introduced, welcomed and presented a Certificate of Honor to Leroy Moore in recognition of Black History Month.

Supervisor Hall introduced, welcomed and presented Certificates of Honor to Gloria L. Young, Clerk of the Board, Gerald Green, Director of Planning, Jesse Williams, Juvenile Probation Services, Mohammed Nuru, Deputy Director of Operations of Department Public Works, Anthony L. Wagner, Administrator, Department of Public Health, Ted Frazier, Associate Pastor of the Voice of the Pentecost Church in recognition of Black History Month.

Supervisor Sandoval introduced, welcomed and presented Certificates of Honor to Marleen Luke and Yuen Mei Wong in recognition of Chinese New Year.

CONSENT AGENDA

Recommendation of the Neighborhood Services and Recreation Committee

030214 **[Accept-Expend Gift]**
Supervisors Dufty, Ma, McGoldrick, Newsom

Resolution authorizing the San Francisco Public Library to accept and expend a gift in the amount of $52,000 from the Friends and Foundation of the San Francisco Public Library for the James C. Hormel Gay and Lesbian Center. (Public Library)

(No Public Benefit Recipient.)

Resolution No. 119-03
ADOPTED

Recommendations of the Rules Committee

021589 **[Appointment]**
Resolution appointing Norman Yee, term ending April 29, 2006 to the Children and Families Trust Fund and Commission.

Norman Yee, succeeding Francisco Ramos-Gomez, term expired, Seat 8, shall represent one or more of the following: children services, public health services; behavioral health services, social services and tobacco and other substance abuse prevention and treatment services; recipients of project services included in the county strategic plan; educators specializing in early childhood development; representatives of a local child care resource or referral agency, the Child Care Planning and Advisory Council or another local child care coordinating group; representatives of a local organization for prevention or early intervention for families at risk; representatives of community-based organizations that have the goal of promoting and nurturing early childhood development; representatives of local school districts; and representatives of local medical, pediatric, or obstetric associations or societies; for the unexpired portion of a four-year term ending April 29, 2006.

Resolution No. 112-03
ADOPTED

021639 **[Appointment]**
Resolution appointing Francine Braae, term ending October 1, 2003, to the Safe Haven for Newborns Task Force.

Francine Braae, new position, seat 1, must be a representative from the community with expertise in the area of domestic violence, for the unexpired portion of a one-year term ending October 1, 2003.

Resolution No. 113-03
ADOPTED

030169 **[Appointment]**
Resolution appointing Joseph Berger (residency requirement waived) and Steve Trent, terms ending June 30, 2004, to the Union Square Business Improvement District Advisory Board.

Joseph Berger, (residency requirement waived) succeeding Michael Cassidy, resigned, seat 2, must be property owner within the Business Improvement District for the unexpired portion of a 5 year term expiring June 30, 2004.
Steve Trent, succeeding Mark Heinzelman, deceased, seat 3, must be property owner within the Business Improvement District for the unexpired portion of a 5 year term expiring June 30, 2004.

Resolution No. 117-03
ADOPTED

030174 **[Appointment]**
Resolution appointing John Gressman (residency requirement waived), Robert Lull and Tracey Faulkner, terms ending January 15, 2006 to the Health Authority.

John Gressman, (residency waiver required) succeeding himself, term expired, seat 5, must be an employee in the senior management of either private nonprofit community clinics or a community clinic consortium, nominated by the SF Community Clinic Consortium, or any successor organization, for a 3 year term ending January 15, 2006.
Robert Lull, succeeding himself, term expired, seat 8, must be physician, and nominee of SF Medical Society, or any successor organization, for a 3 year term ending January 15, 2006.
Tracey Faulkner, succeeding Frederick Hobson, resigned, seat 11, must be a nominee of Health Authority Beneficiary Advisory Committee, at least one of whom shall at the time of appointment and during the person's term be a Medi-Cal beneficiary, for a 3 year term ending January 15, 2006.

Resolution No. 118-03
ADOPTED

030252 **[Appointment]**
Resolution appointing Levi Nnaemeda, term ending December 31, 2004 to the Development Disabilities Board.

Levi Nnaemeda, succeeding Theresa Gallegos, term expired, seat 1, represents general public, for the unexpired portion of a 3 year term ending December 31, 2004.

Resolution No. 120-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Finance Committee

030132 **[Funding for the investigation and litigation against Tutor-Saliba Construction]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, McGoldrick, Maxwell

Ordinance appropriating, retroactive to July 1, 2002, $2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.

(Fiscal impact.)

FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

NEW BUSINESS

Recommendations of the Finance and Audits Committee

030093 **[Funding for the sale of lease-revenue bonds for citywide equipment]**
Mayor

Ordinance appropriating $4,200,633 from the sale of lease-revenue bonds by the San Francisco Finance Corporation to fund purchase of equipment citywide for fiscal year 2002-03; placing $455,000 on reserve. (Mayor)

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 1 - Sandoval
Excused: 1 - McGoldrick

030159 **[Appropriate bond interest earnings for construction of the Asian Art Museum]**
Supervisors Sandoval, Newsom

Ordinance appropriating $2,251,170 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1996E and $1,491,120 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1999D for a total of $3,742,290 for construction costs to seismically upgrade and make various improvements and build outs to the Old Main Library building for the Asian Art Museum for fiscal year 2002-03. (Controller)

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

030167 **[Patient Rates]**
Ordinance amending Section 128 of the San Francisco Health Code to revise selective patient rates for Mental Health services furnished by the Department of Public Health, retroactive to July 1, 2002, and to revise the passport application fee effective upon approval of this ordinance. (Public Health Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

030131 **[2003 Finance Corporation Equipment Program]**
Mayor

Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an equipment lease Supplement No. 10 (Series 2003A Bonds) between the City and the County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to the equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $11,750,000; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith. (Mayor)

(Fiscal impact.)

Resolution No. 109-03
ADOPTED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 1 - Sandoval
Excused: 1 - McGoldrick

030147 **[Public Auction of Tax-defaulted Property]**
Resolution authorizing Tax Collector to sell at public auction certain parcels of tax-defaulted real property. (Treasurer-Tax Collector)

(No Public Benefit Recipient.)

Resolution No. 116-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Neighborhood Services and Recreation Committee

021940 **[Liquor License, 77 Natoma Street]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Jennifer L. Rogers and Kerri L. Stephens for "Varnish Fine Art LLC" located at 77 Natoma Street (District 6), will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 114-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

022024 **[Liquor License Transfer, 1737 Post Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 22 Peace Plaza to 1737 Post Street, Japanese Cultural Center (District 5), to Jay Naganuma for Maruwa Foods Company of America for the purpose of upgrading its current Type 20 off-sale beer and wine alcoholic beverage control license, will serve the public convenience and necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.

Resolution No. 115-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

Recommendations of the Rules Committee

Supervisor Gonzalez Excused from Voting

Supervisor Sandoval, seconded by Supervisor Maxwell, moved to excuse Supervisor Gonzalez from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 2 - Gonzalez, McGoldrick

030213 **[Appointment]**

Resolution appointing Supervisor Matt Gonzalez, term ending June 30, 2003 to the Association of Bay Area Governments Executive Board.

Supervisor Matt Gonzalez, succeeding Supervisor McGoldrick, resigned, seat 2, must be a member of the Board of Supervisors, for the unexpired portion of a 2 year term ending June 30, 2003.
Supervisor Gonzalez excused from the vote.

Resolution No. 102-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 2 - Gonzalez, McGoldrick

Supervisor Ma Excused from Voting

Supervisor Daly, seconded by Supervisor Maxwell, moved to excuse Supervisor Ma from voting on this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, Newsom, Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

030215 **[Appointment]**
Resolution appointing Supervisor Fiona Ma, term ending June 30, 2003 to the Association of Bay Area Governments Executive Board.

Supervisor Fiona Ma, succeeding Supervisor Gavin Newsom, resigned, seat 6, alternate position in odd numbered years, must be a member of the Board of Supervisors, for the unexpired portion of a 2-year term ending June 30, 2004.

Amended on page 1, line 3, by replacing "June 30, 2004" with "June 30, 2003"; and further amended on page 1, line 9, by replacing "Supervisor Newsom" with "Supervisor Daly"; and by replacing "Seat 6" with "Seat 1"; and by deleting "alternate position in odd-numbered years" and on page 1, line 11, by replacing "June 30, 2004 with "June 30, 2003." (New Title)

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, Newsom, Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

Continued to March 4, 2003 For Adoption Without Committee Reference Agenda

CONTINUED AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Maxwell, Newsom, Peskin, Sandoval
Excused: 2 - Ma, McGoldrick

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdulla Megaheed; SFPD issues
Richard Robertson; homeless issues
Male Speaker; general issues
Female Speaker; request help regarding Charles Lee, an immigrant citizen, being detained in China
Jim Corrigan; SFFD issues and closing of fire stations
Steve Espas; request help regarding Charles Lee, an immigrant citizen, being detained in China
Mark Greenberg; Taxi Commission decision regarding distribution of taxi medallions
Ron Walter; Taxi Commission decision regarding distribution of taxi medallions
Ruth Gravis; Chair of Taxicab Workers; Taxi Commission decision regarding distributions of taxi medallions
John Creedon, Scomas Restaurant; regarding resolutions relating to labeling seafood and protection of Chilean Sea Bass
Female Speaker; regarding resolutions relating to labeling seafood and protection of Chilean Sea Bass
Female Speaker; general issues
Male Speaker; Member of the Taxi Commission

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 19 through 30

030275 **[Accept- Expend State Grant]**
Supervisor Peskin

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $106,686 from the California Resources Agency - Coastal Impact Assistance Program for the Downtown Ferry Terminal Public Pier Project.

Resolution No. 121-03
ADOPTED

030279 **[GlaxoSmithKline Boycott]**
Supervisors Sandoval, Daly

Resolution urging GlaxoSmithKline to reconsider its decision to stop distribution of prescription drugs to Canadian pharmacies that sell to U.S. customers.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 122-03
ADOPTED

030228 **[Final Map for a 135 Unit Residential Condominium Project]**
Motion approving Final Map of Oceanview Village, 3995 Alemany Boulevard, a Residential / Commercial Condominium Project, being a subdivision of Airspace, Lot 9 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,952; District No. 11.)

Motion No. M03-32
APPROVED

030229 **[Final Map for a 57 Unit Condominium Project]**
Motion approving Final Map of Oceanview Village, 3981 Alemany Boulevard, a Residential Condominium Project, being a subdivision of Lot 14 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,953; District No. 11.)

Motion No. M03-33
APPROVED

030230 **[Final Map for a 135 Unit Residential Condominium Project]**
Motion approving Final Map of Oceanview Village, 8300 & 8400 Oceanview Terrace, a Residential Condominium Project, being a subdivision of Lot 15 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,954; District No. 11.)

Motion No. M03-34
APPROVED

030231 **[Final Map for a 90 Unit Residential Condominium Project]**
Motion approving Final Map of Oceanview Village, 8200 Oceanview Terrace, a Residential Condominium Project, being a subdivision of Lot 16 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order 173,955; District No. 11.)

Motion No. M03-35
APPROVED

030234 **[Final Map for a 90 Unit Mixed Use Condominium Project]**
Motion approving Final Map of Oceanview Village, 8100 Oceanview Terrace, a Residential Condominium Project, being a subdivision of Lot 17 in Assessor's Block No. 7126A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,956; District 11.)

Motion No. M03-36
APPROVED

030269 **[Canceling the March 11, 2003 Board of Supervisors Meeting]**
Motion canceling the March 11, 2003, regularly scheduled meeting of the Board of Supervisors. (Clerk of the Board)

Motion No. M03-38
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

Severed from For Adoption Without Committee Reference

Supervisor Dufty requested that this matter be severed so that it could be considered separately.

030226 **[Commend SF Police Officers - Mission Station]**
Supervisors Dufty, Hall

Resolution to commend the Officers of the San Francisco Police Department, Mission Station, for outstanding police work in apprehending a significant possible suspect in the recent spate of Noe Valley Neighborhood Home Burglaries.

Supervisor Dufty requested this matter be Referred to Committee.
REFERRED to the City Services Committee.

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

030277 **[Supporting Sustainable Harvesting and Labeling of Seafood]**
Supervisor Sandoval

Resolution supporting the promotion of sustainable harvesting and labeling of seafood in San Francisco restaurants and markets.

Supervisor Peskin requested this matter be Referred to Committee.
REFERRED to the City Services Committee.

Supervisor Newsom requested that this matter be severed so that it could be considered separately.

030278 **[Supporting Protection of Chilean Sea Bass]**
Supervisor Sandoval

Resolution urging the U.S. government to achieve greater protections for Chilean Sea Bass and urging all chefs, retailers, wholesalers and consumers to stop consuming Chilean Sea Bass until action is taken to protect Chilean Sea Bass from extinction.

Supervisor Newsom requested that this matter be Referred to Committee.
REFERRED to the City Services Committee.

Supervisor Sandoval requested that this matter be severed so that it could be considered separately.

030265 **[Extending Time for Negotiations]**
Mayor

Motion extending time for negotiations pursuant to Charter Section 11.100. (Mayor)

Motion No. M03-37
APPROVED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Serious Injury Finding]
Motion that the Board find that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Daly, moved ADOPTION of the Commentary Finding Act. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Daly, moved ADOPTION of the Brown Act Finding Act. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

030306 **[Gladys H. Dardon Day]**
Supervisor Maxwell

Resolution to proclaim February 27, 2003 as Gladys H. Dardon Day in the City and County of San Francisco.

Resolution No. 123-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

030307 **[Commend Les Percussions De Guinee]**
Supervisor Maxwell

Resolution commending and welcoming Les Percussions De Guinee to the City and County of San Francisco.

Resolution No. 124-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Excused: 1 - McGoldrick

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030301 **[Clerical Corrections to Article 10a of the Bus. & Tax Reg. Code]**
Supervisor Peskin

Ordinance amending Article 10a of the San Francisco Business and Tax Regulations Code by making clerical corrections to Sections 750, 751, 753 and 755.1 and amending Section 10.100-67 of the San Francisco Administrative Code by making clerical corrections to omit text intended to be deleted by Ordinance Number 71-02.
2/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030315 **[Fleet Management Program]**
Supervisor Peskin

Ordinance amending the San Francisco Administrative Code by repealing existing Section 4.10-1 and adding a new Section 4.10-1, to place all City general purpose vehicles under the jurisdiction of the Director of Administrative Services as part of a comprehensive fleet management program.
2/25/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/27/2003.

030326 **[Prohibiting the use of mobile telephones at public performance]**
Supervisors Daly, Peskin

Draft ordinance amending Police Code by adding a new Article 50 to prohibit the use of mobile telephones in places of public performance.
2/25/03, RECEIVED AND ASSIGNED to City Services Committee.

030325 **[Residential Rent Ordinance: conform to State Ellis Act amendments]**
Supervisor Peskin

Ordinance (1) conforming the Residential Rent Stabilization and Arbitration Ordinance (Administrative Code Chapter 37) to State law amendments to the Ellis Act (California Government Code Sections 7060 et seq.), by amending Section 37.9A to provide that, for new tenancies established after December 31, 2002, the same rent control restrictions that were in effect for the unit at the time a notice of intent to withdraw the unit from the rental or leased housing market was filed with the Rent Board remain in effect for any and all new or subsequent tenancies established during the five year period after filing the notice of intent, and for the five year period following actual withdrawal of the unit from the rental or leased housing market; (2) amending Section 37.9A to provide that half of the required relocation payment due to low-income, elderly or disabled tenants is due within fifteen (15) days of the landlord's receipt of the tenant's notice of entitlement, and the remaining half is due when the tenant vacates the unit; (3) amending Section 37.9A to require that an owner notify the Rent Board if the owner disputes a tenant's claim of entitlement to one-year notice due to being elderly or disabled; and, (4) conforming numbering.
2/25/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 3/27/2003.

030328 **[Settlement of Unlitigated Claim]**
Supervisor Hall

Ordinance approving settlement of an unlitigated claim by the City and County of San Francisco, acting by and through its Airport Commission, against D. Mitchell Concessions, Inc., by approving a lease of two coffee facilities in the Domestic Terminals and the main restaurant in the International Terminal, to HMSHost Corporation, waiving the competitive solicitation requirement in San Francisco Administrative Code Section 2A.173, and authorizing the Airport Director to execute agreements in furtherance of the foregoing.
2/25/03, RECEIVED AND ASSIGNED to Rules Committee.

Resolutions

030226 **[Commend SF Police Officers - Mission Station]**
Supervisors Dufty, Hall

Resolution to commend the Officers of the San Francisco Police Department, Mission Station, for outstanding police work in apprehending a significant possible suspect in the recent spate of Noe Valley Neighborhood Home Burglaries.

2/11/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

2/18/03, AMENDED. Amended on page 1, line 5, to replace "spade" with "spate". (New Title)

Supervisor Hall requested to be added as a co-sponsor.

2/18/03, CONTINUED. Continued to February 25, 2003

2/25/03, REFERRED to City Services Committee.
Supervisor Dufty requested this matter be Referred to Committee.

030277 **[Supporting Sustainable Harvesting and Labeling of Seafood]**
Supervisor Sandoval

Resolution supporting the promotion of sustainable harvesting and labeling of seafood in San Francisco restaurants and markets.

2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

2/25/03, REFERRED to City Services Committee. Supervisor Peskin requested this matter be Referred to Committee.

030278 **[Supporting Protection of Chilean Sea Bass]**
Supervisor Sandoval

Resolution urging the U.S. government to achieve greater protections for Chilean Sea Bass and urging all chefs, retailers, wholesalers and consumers to stop consuming Chilean Sea Bass until action is taken to protect Chilean Sea Bass from extinction.

2/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

2/25/03, REFERRED to City Services Committee. Supervisor Newsom requested that this matter be Referred to Committee.

030300 **[Certification to Accompany Application for State Grant for Richmond Library Expansion and Renovation]**
Mayor

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000. (Mayor)

(No Public Benefit Recipient.)
2/25/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for consideration at the March 19, 2003.

030304 **[Municipal Transportation Agency leveraged lease-leaseback financing]**
Mayor

Resolution authorizing the San Francisco Municipal Transportation Agency to proceed with Tranche 2 of the Breda light rail vehicle leveraged lease-leaseback transaction without an obligation to pay broken-deal costs. (Mayor)

(No Public Benefit Recipient.)
2/25/03, RECEIVED AND ASSIGNED to Land Use Committee.

030316 **[Accept- Expend State Grant - Port Commission]**
Supervisors Maxwell, Newsom

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $143,200 from the State of California San Francisco Bay Natural Resources Protection Trust for the Pier 94 Wetlands Enhancement Project.

(No Public Benefit Recipient.)
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030317 **[Urge Governor Davis to sign AB4X, Stage III Child Care Funding]**
Supervisors Ma, Newsom, Ammiano, Dufty, Peskin, Daly

Resolution urging Governor Gray Davis to support California's young children, working parents, and small and large businesses by ensuring continued funding for Stage III Child Care by signing AB4X.
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030318 **[Commend International Women's Day]**
Supervisors Ma, Peskin, Newsom, Daly

Resolution commending International Women's Day.
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030319 **[Support SB 50 and AB 83]**
Supervisor McGoldrick

Resolution Supporting SB 50 and AB 83 Regulating Bottled Water within California.
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030329 **[Accept-Expend State Grant - Recreation and Park Department]**
Supervisors Maxwell, Newsom

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of $200,000 from the California Department of Parks and Recreation under the Fiscal Year 2000 Park Bond Act: Regional Youth Soccer and Baseball Facilities for the renovation of the Soccer Field at Youngblood Coleman Recreation Center.

(No Public Benefit Recipient.)
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030330 **[Zero Emission Vehicles]**
Supervisor Daly

Resolution urging the California Air Resources Board to (1) maintain the state's zero-emission vehicle (ZEV) production requirement, (2) prevent a near term "ZEV blackout" where no ZEVs are actually required, and (3) provide stronger incentives for high quality hybrid EVs that will provide real "pure zero emission" miles and accelerate the introduction of ZEVs.
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030331 **[Woodburning]**
Supervisor Daly

Resolution urging the residents of the City and County of San Francisco to eliminate or reduce wood burning in residential fireplaces and wood burning stoves as a way to reduce toxic air pollution during the winter months.
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030332 **[Support Assembly Bill 45]**
Supervisor Daly

Resolution supporting Assembly Bill 45, regulating the use of mobile telephones while operating a motor vehicle.
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030302 **[Budget Updates]**
Supervisors Daly, Peskin

Hearing to consider budget updates from the Mayor, Controller, Budget Analyst, Legislative Analyst, and City Departments.
2/25/03, RECEIVED AND ASSIGNED to Budget Committee.

030303 **[Status of Hospital Liaison Program of the Public Guardian's Office]**
Supervisor Dufty

Hearing to review the status of the "Hospital Liaison Program" in the Public Guardian's Office.
2/25/03, RECEIVED AND ASSIGNED to City Services Committee.

030308 **[California High School Exit Examination]**
Supervisors Ammiano, Ma, Maxwell

Hearing to consider the District's efforts to help students meet the requirements of the California High School Exit Examination (CHSEE) pursuant to Education Code Section 6080,the potential impacts of the California High School Exit Examination on various student populations including English language learners, and alternative assessment methodologies under consideration by the District, including assistance from the City Attorney to review legal issues surrounding the CHSEE.
2/25/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

030309 **[SFUSD's Early Childhood Development Program]**
Supervisors Ammiano, Ma, Maxwell

Hearing to consider the San Francisco Unified School District's Early Childhood Development Program, including the State and Title I Preschool and the District's full-day preschool program, and objectives of the SFUSD's Excellence for All Five Year Comprehensive Plan related to literacy, kindergarten transition, and academic success and to review the potential impact of the Governor's proposal to reroute Early Childhood Development funding and responsibility from school districts to counties.
2/25/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

030310 **[SFUSD Facilities Master Plan]**
Supervisors Ammiano, Ma, Maxwell, Dufty

Hearing to consider the San Francisco United School District Facilities Master Plan, including assistance currently being provided by the City Architect to complete the plan, and how best to leverage the 2004 series of statewide education facilities bonds, if approved by voters.
2/25/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

030311 **[Cost-cutting efforts of the SFUSD]**
Supervisors Ammiano, Ma, Maxwell

Hearing to consider recent cost-cutting efforts of the San Francisco Unified School District and the impact of state budget cuts on the District.
2/25/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

030312 **[Cost-cutting proposals]**
Supervisors Ammiano, Ma, Maxwell

Hearing to consider cost-cutting proposals by City Departments that could affect the delivery of services to children, including potential cuts to Stage 3 childcare (administered in conjunction with City welfare to work programs) as proposed by Governor Davis.
2/25/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

030314 **[Financial impact of the War on Iraq to the City's Budget]**
Supervisor Sandoval

Hearing to discuss the financial impact of the War on Iraq to the City's Budget, specifically the Police Department, Fire Department and the Office of Emergency Services.
2/25/03, RECEIVED AND ASSIGNED to Budget Committee.

Motions

030299 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
2/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030305 **[Budget Direction to the Clerk of the Board of Supervisors and City Departments]**
Supervisors Ammiano, Daly, Peskin

Motion directing the Clerk of the Board of Supervisors to identify and recommend to the Budget Committee potential cuts equaling 10 and 20% of the Board of Supervisors budget, directing the Budget Analyst to develop a budget justification and staffing analysis in consultation with the Fire Department to transfer Chief's Aides to firefighting or other appropriate positions within the Fire Department, directing the Budget Analyst to contact elected officials and department heads in General Fund supported City departments to request proposed cuts equaling 10 and 20% of General Fund supported costs for positions earning more than $90,000 annually and non-essential functions within their administrative budgets, and urging the Director of Human Resources to expand planned job placement assistance programs for City employees who are laid off during the budget process to meet the needs of professional staff, including identifying potential job opportunities in non-General Fund departments and other government agencies.
2/25/03, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled for consideration at the March 6, 2003 meeting.

030313 **[Legislative Analyst Request]**
Supervisors Ammiano, Ma, Maxwell, Dufty, Newsom

Motion requesting the Office of the Legislative Analyst, in consultation with the San Francisco Unified School District, research and report on existing SFUSD teacher salaries compared to California and national averages, adjusted to reflect the cost of living in the Bay Area, and on teacher housing initiatives, including housing subsidies, employed by other jurisdictions.
2/25/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 4, 2003.

PROPOSED ORDINANCES

030207 **[2161 Sutter Street - Zoning Map Change]**

Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

2/13/03, RECEIVED AND ASSIGNED to Land Use Committee.

030246 **[Surcharge on taxi trips originating at Airport]**

Ordinance amending Section 1135 of the Police Code to provide $2 surcharge on taxi fares for trips originating at San Francisco International Airport. (Taxi Commission)

(No Public Benefit Recipient.)

2/14/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

PROPOSED RESOLUTIONS

030233 **[Provide car seats and information to pregnant and parenting teens]**

Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $2,500 from the State of California Department of Health Services (CDHS), to implement a car seat bank program; for the period of December 15, 2002 through January 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

2/13/03, RECEIVED AND ASSIGNED to City Services Committee.

2/21/03, REFERRED TO DEPARTMENT. Referred to Youth Commission for review and comment.

Supervisor Dufty requested to be added as sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030235 **[Cover the Uninsured Week]**
Supervisors Dufty, Ma

Resolution endorsing and supporting Cover the Uninsured Week, encouraging San Franciscans to attend the week's events to offer ideas and recommendations to address the problem of the uninsured, and proclaiming March 10 through 16 "Cover the Uninsured Week" in San Francisco. (Public Health Department)

(No Public Benefit Recipient.)
2/14/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030243 **[Ratify Port Emergency Repair Contract]**
Resolution ratifying San Francisco Port Commission emergency contract for recovery and repair of marine vessel known as Drydock #1. (Port)

(Fiscal impact; No Public Benefit Recipient.)
2/14/03, RECEIVED AND ASSIGNED to Land Use Committee.

030247 **[Accept-Expend Federal Grant]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the U.S. Department of Justice - Office of Community Oriented Policing for a project entitled "COPS-MORE 2002; Crime Analysis Hardware and Software". (Police Department)

(No Public Benefit Recipient.)
2/14/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.
Supervisor Ma requested to be added as a co-sponsor.

Requests Granted

From: Supervisor Sandoval
To: Chief of the San Francisco Police Department
Captain of Taraval Police Station
Requesting/Inquiring: Inquiring about the procedure and protocol, what training is given to officers and how often that training is updated and the protocol between the San Francisco Police Department and the Secret Service that is used when a person is suspected of trying to use counterfeit currency.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to prohibit fingerprinting as a condition of receiving City services unless prescribed by state or federal law.

From: Supervisor Daly
To: City Attorney
Department of Parking and Traffic
Department of Public Works
Requesting/Inquiring:

To the City Attorney: Please draft an ordinance to vacate Jessie Street between 5th and 6th Street.

To the DPT and DPW: Please comment about the proposed street vacation on Jessie Street between 5th and 6th Street.

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft a resolution establishing a Joint San Francisco Unified School District/City and County After School Programs Task Force, including, but not limited to, representatives of the SFUSD, the Department of Children, Youth and Their Families, the Department of Recreation and Parks, the Mayor's Office of Community Development, the Youth Commission and advocates for public education.

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft a resolution urging that the Municipal Transportation Agency, in consultation with the SFUSD, review current expenditures, routing and vehicles used under the SFUSD's contract with Laidlaw and analyze the feasibility of the MTA providing assistance with future Requests for Proposals, contract oversight assistance, including routing oversight, and assistance with analyzing school bus emmissions and alternative fuel bus technology options and urging that the MTA, in consultation with the SFUSD review MUNI routing and schedules on lines frequently used by K-12 students going to and from school.

From: Supervisor Ammiano
To: City Attorney
Requesting/Inquiring: To draft a resolution urging that the Department of Public Works (DPW) and the City Architect, in consultation with the SFUSD, review the SFUSD Facilities Master Plan, and suggest options for Department of Public Works or joint DPW/SFUSD management of construction projects, pursuant to the existing Memorandum of Understanding between the SFUSD and DPW or a new agreement.

From: Supervisor Ammiano

To: Library Commission
Requesting/Inquiring: To report to the Board of Supervisors regarding existing Library Commission support for the SFUSD and proposed programs to supplement SFUSD library staffing and provide collection support.

From: Supervisor Ammiano
To: Director, Department of Human Services
Requesting/Inquiring: To review the 2001 report by the Office of Legislative K-12 social worker support in the SFUSD, and requesting an update of that report including a comparison of existing levels of service to national averages for urban school districts and other school districts in the State of California, and potential funding sources for increased social work support in schools.

From: Supervisor Ammiano
To: Director, Department of Children Youth and Their Families
Requesting/Inquiring: To report, developed in consultation with the Department of Recreation and Parks, the Youth Commission and the SFUSD, regarding existing City and County and SFUSD after school programs and the funding guidelines for Proposition 49, the Before and After School Programs Initiative Statute.

From: Supervisor Ammiano
To: Controller
Requesting/Inquiring: To research and report, in consultation with the SFUSD, on existing per pupil spending in San Francisco public schools compared to national and statewide averages and alternative school financing options employed by or being considered by other jurisdictions and revenue generated, particularly within the State of California.

From: Supervisor Ammiano
To: San Francisco Unified School District
Requesting/Inquiring: To report and update regarding projected costs to implement Excellence for All Five Year Comprehensive Plan and related long-range planning goals of the SFUSD, including but not limited to, updates on the following issues: Low Performing Schools (including the STAR Program), Small Schools, Class-Size Reduction, programs for English Language Learners, and Gifted and Talented Educational Opportunities, including the potential for the City to assist the District in meeting these objectives.

In Memoriams

Vicente Pascua (Entire Board)
John Battista Quattrin (Supervisor Hall and Supervisor Newsom)
Kevin C. O'Shea (Supervisor Hall and Supervisor Newsom)
Michael Moll (Supervisor Ma and Supervisor Daly)
Thomas Vigo (Supervisor Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 4:18 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on March 18, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B.
Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

DOCUMENTS DEPT.

DEC - 3 2003

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, March 4, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01p.m. On call of the roll, the following Supervisor was noted absent:

Supervisor Dufty - 1

Quorum present.

Supervisor Dufty noted present at 2:02 p.m.

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Newsom, moved to approve February 4, 2003 and February 11, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

CONSENT AGENDA

Recommendations of the City Services Committee

030001 **[Mental health services to HIV positive women and their adult family members]**
Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health, HIV Mental Health Program at the Center for Special Problems (SFDPH, CSP) to enter retroactively into an agreement in the amount of $30,750 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide outpatient mental health services to women who have HIV and their adult family members, for the period of August 1, 2002 to July 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 127-03
ADOPTED

030023 **[Child Care Health Linkages]**
Supervisors Ma, Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $84,328.13 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to extend current child care health consultation services to family childcare providers, for the period of July 1, 2002 to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 126-03
ADOPTED

030032 **[Healthy eating and childhood overweight prevention services]**
Supervisors Dufty, Ma, Maxwell

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $113,788 from the California Department of Health Services (CDHS) for healthy eating and childhood overweight prevention and to enter into an agreement for the use of these funds; for the period of August 1, 2002 to September 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Supervisor Maxwell requested to be added as a co-sponsor.
Resolution No. 125-03
ADOPTED

030035 **[Grant - Family literacy program for women prisoners in the county jail]**
Supervisors Dufty, Ma, Maxwell

Resolution authorizing the Sheriff's Department to accept and expend a grant in the amount of $33,000 from the Zellerbach Family Foundation for providing a family literacy program for women prisoners in the county jail. (Sheriff)

(Public Benefit Recipient.)

Supervisor Maxwell requested to be added as a co-sponsor.
Resolution No. 130-03
ADOPTED

030046 **[Emergency Management Assistance Grants]**
Mayor, Supervisor Newsom

Rescinding Resolution No. 193-98; Authorizing designated City and County officials to execute and file on behalf of the City and County of San Francisco applications for federal and state financial assistance under the Emergency Management Performance Grant Program, the State Domestic Preparedness Grant Program, and Public Law 107-26. (Mayor)

Supervisor Newsom requested to be added as a co-sponsor.
Resolution No. 131-03
ADOPTED

030160 **[Accept-Expend Foundation Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Department of Environment to accept and expend a grant in the amount of $15,000 from the San Francisco Foundation for providing technical assistance to schools that are starting and maintaining organics waste collection programs. (Environment)

(No Public Benefit Recipient.)

Resolution No. 132-03
ADOPTED

030163 **[Accept-Expend Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $95,033 through the California Department of Justice for a program entitled "Spousal Abuser Prosecution Program." (District Attorney)

(No Public Benefit Recipient.)

Resolution No. 133-03
ADOPTED

030168 **[Accept-Expend State Grant]**
Supervisors Dufty, Ma

Resolution authorizing the Department of the Environment to retroactively accept and expend a grant in the amount of $9,765.23 from the California Integrated Waste Management Board for assistance in the development of markets for recycled and re-manufactured products. (Environment)

(No Public Benefit Recipient.)

Resolution No. 134-03
ADOPTED

030211 **[Accept- Expend Federal Grant]**
Supervisors Dufty, Ma

Resolution authorizing the San Francisco Public Utilities Commission to accept and expend a grant in the amount of $50,000 from the U.S. Department of Energy for the promotion of renewable energy through the Million Solar Roofs Grant Program. (Public Utilities Commission)

(No Public Benefit Recipient.)

Resolution No. 136-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Finance and Audits Committee

030093 **[Funding for the sale of lease-revenue bonds for citywide equipment]**
Mayor

Ordinance appropriating $4,200,633 from the sale of lease-revenue bonds by the San Francisco Finance Corporation to fund purchase of equipment citywide for fiscal year 2002-03; placing $455,000 on reserve. (Mayor)

(Fiscal impact.)

Ordinance No. 32-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Sandoval

030159 **[Appropriate bond interest earnings for construction of the Asian Art Museum]**
Supervisors Sandoval, Newsom

Ordinance appropriating $2,251,170 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1996E and $1,491,120 in interest income from the 1994 Asian Art Museum Relocation Project Bond - Series 1999D for a total of $3,742,290 for construction costs to seismically upgrade and make various improvements and build outs to the Old Main Library building for the Asian Art Museum for fiscal year 2002-03. (Controller)

(Fiscal impact; No Public Benefit Recipient.)

Supervisor Sandoval requested to be added as sponsor.
Supervisor Newsom requested to be added as co-sponsor.

Ordinance No. 33-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030167 **[Patient Rates]**
Ordinance amending Section 128 of the San Francisco Health Code to revise selective patient rates for Mental Health services furnished by the Department of Public Health, retroactive to July 1, 2002, and to revise the passport application fee effective upon approval of this ordinance. (Public Health Department)

(No Public Benefit Recipient.)

Ordinance No. 34-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

NEW BUSINESS

Recommendations of the Budget Committee

030088 **[MOU, Local 790, for staff nurses and per diem nurses]**
Supervisors Newsom, Ammiano, Dufty, Maxwell, Daly, Gonzalez

Ordinance adopting and implementing an amendment to the 2000-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, Local 790, AFL-CIO for staff nurses and per diem nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.

(Fiscal impact.)

Supervisors Ammiano, Dufty, Maxwell and Daly requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030089 **[MOU, Local 856 for Supervising Nurses]**
Supervisors Newsom, Ammiano, Dufty, Maxwell, Daly, Gonzalez

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.

(Fiscal impact.)

Supervisors Ammiano, Dufty, Maxwell and Daly requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

Recommendations of the City Services Committee

021857 **[Amend Health Code - Lead Hazard Definition Amendment]**
Supervisors Ammiano, Newsom, Daly, Gonzalez, Sandoval

Ordinance amending Section 1601 of Article 26 of the San Francisco Health Code to change the title of the Article to emphasize the lead poisoning prevention aspect of the Article; amending the definitions for various lead hazards in Section 1603 of Article 26 of the San Francisco Health Code to conform with the newly promulgated lead levels from the United States Environmental Protection Agency ("USEPA") and the California Department of Health Services ("CDHS") for Dust-Lead Hazard; conforming the terms used in the Article to those used by USEPA and CDHS; amending the definitions for "Case-Managed Child," "Elevated Blood Lead Child" and "Lead-Poisoned Child" to conform with the new requirements from the California Department of Health Services regarding case-management of lead-poisoned children, and making conforming changes to Sections 1601, 1602, 1604, 1617, and 1626.

Supervisors Newsom and Daly requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Maxwell

030205 **[Mixed-use development project at 10th and Market Streets]**
Supervisors Daly, Dufty

Resolution endorsing the concept of a mixed-use development project at 10th and Market Streets including affordable and market rate housing and a new City office building, and directing City staff to identify the key terms and conditions of agreements effectuating such a project.

Resolution No. 128-03

ADOPTED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Sandoval

030210 **[Liquor License Transfer, 442 Jessie Street]**
Resolution determining that the transfer of a Type 48 on-sale general public premises license from 177 Townsend Street to 442 Jessie Street (District 6), to Audrey Joseph for Night Gallery, will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 135-03

ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Finance and Audits Committee

030245 **[Funding for the program management services for PUC capital projects]**
Mayor

Ordinance appropriating $5,600,000 of fund balance from the Water Department, $560,000 of fund balance from Hetch Hetchy, and $840,000 of fund balance from Clean Water for a total of $7,000,000 for program management services for the Public Utilities Commission's capital projects for fiscal year 2002-03, placing $5,188,465 on Finance and Audits Committee Reserve. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030219 **[Amended Power Purchase Contract]**
Supervisors Peskin, Daly

Resolution approving an amended contract with Calpine Energy Services for the purchase of electricity through June 30, 2006.

(Fiscal impact.)

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 111-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030266 **[Continuation of Public Utilities Commission's contract for Program Management Services]**

Resolution approving Public Utilities Commission's continuation of Agreement No. CS-524, Program Management Services, with the Water Infrastructure Partners (WIP) through April 30, 2003.

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 138-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

030029 **[Authorizing MTA to proceed with CM/GC project delivery method for Muni Metro East Project]**
Supervisors Ammiano, Maxwell, Dufty

Ordinance exempting the Municipal Transportation Agency (MTA) from subcontractor listing requirements of Administrative Code Chapter 6 for the proposed construction of the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project; and authorizing the MTA to take all necessary steps to procure such work through a CM/GC contract duly awarded pursuant to this Ordinance. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Amended on page 3, line 25, by inserting after "subcontracts" "except that subcontracts under $100,000 may be approved by the Director of Transportation."

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 7 - Ammiano, Daly, Gonzalez, Hall, Ma, McGoldrick, Sandoval
Noes: 4 - Dufty, Maxwell, Newsom, Peskin

Supervisor Daly, seconded by Supervisor Dufty, moved to rescind the previous vote.
Motion carried by the following vote:
Ayes: 7 - Ammiano, Daly, Dufty, Hall, Ma, Newsom, Peskin
Noes: 3 - Gonzalez, McGoldrick, Sandoval
Absent: 1- Maxwell

Supervisor Daly, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 3 - Gonzalez, McGoldrick, Sandoval

Supervisor Ma, seconded by Supervisor Daly, moved to rescind the previous vote.
Motion carried by the following vote:
Ayes: 9 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 2 - McGoldrick, Sandoval

Supervisor Sandoval, seconded by Supervisor McGoldrick, moved to continue this matter to March 18, 2003.
Motion failed by the following vote:
Ayes: 3 - Gonzalez, McGoldrick, Sandoval
Noes: 8 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Newsom, Peskin

Supervisor Daly, seconded by Supervisor Maxwell, moved to amend on page 3, line 25 by deleting "or the Board's designee" and after "subcontracts by inserting "except that subcontracts under $2,000,000 may be approved by the Director of Transportation at the MTA; and further amended on page 5, line 12, by adding " Section 4. By November 1, 2003 the MTA shall submit to the Board of Supervisors a written report listing all contracts, and their amounts, awarded by MTA and the Director of Transportation under this ordinance, including the identification of DBE contracts and subcontractors and the amounts of their contracts."

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 3 - Gonzalez, McGoldrick, Sandoval

030146 [Changing Official Width of Sidewalk]
Supervisor Hall

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1558 to change the official sidewalk width at the southeast and southwest corners of Woodside and Idora Avenues; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

Supervisor Hall requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021859 **[Precautionary Principle]**

Supervisors Peskin, Gonzalez, Sandoval, Ammiano, Daly, McGoldrick, Ma, Maxwell, Dufty, Newsom

Resolution supporting the precautionary principle and requesting the Department of the Environment to prepare and submit legislation proposing the adoption of the precautionary principle as a general City policy and integrating a precautionary principle approach into the City's existing process for the purchase of commodities for the Board of Supervisors' consideration.

Supervisors Dufty and Newsom requested to be added as a co-sponsors.

Resolution No. 129-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

SPECIAL ORDER 3:00 P.M.

030253 **[Public Hearing - Appeal, Conditional Use - 1193 Oak Street]**

Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 16504 dated January 9, 2003 approving, pursuant to Planning Code Sections 303 and 209.2(d), Conditional Use Application No. 2002.1007C to allow the establishment of a Bed and Breakfast Inn with five guest rooms within the existing second floor dwelling unit of a building in an RM-2 District and a 40-X Height and Bulk District, located at 1193 Oak Street, southeast corner at Broderick Street; Lot 023, in Assessor's Block 1218.

(Appeal filed February 10, 2003; Categorically exempt from environmental process pursuant to the California Environmental Quality Act (CEQA); companion measure to Files 030254; 030255; 030256; District 5.)

Appellants: George DeVries, John Hill, Female speaker for Judith Kaminsky
Scott Carson; support of appellant

Gerald Green, Director of Planning, reviewed with the Board the Planning Commission's recommendation.

Board Members reviewed and discussed issues with the Department of Planning representatives.

Sponsor: Sarah Friesema

A rebuttal period was allowed.

Scott Carson; support of appellant

The President declared the public hearing closed.
HEARD AT PUBLIC HEARING.

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

030254 **[Appeal, Conditional Use - 1193 Oak Street]**

Motion approving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to March 25, 2003

Supervisor Dufty, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030255 **[Appeal, Conditional Use - 1193 Oak Street]**

Motion disapproving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to March 25, 2003

Supervisor Dufty, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030256 **[Findings - 1193 Oak Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1007C, on property located at 1193 Oak Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to March 25, 2003

Supervisor Dufty, seconded by Supervisor Newsom, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

COMMITTEE REPORTS

From the Land Use Committee

030097 **[Designate the 1338 Filbert Street Cottages as a Landmark]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell

Ordinance amending Appendix A of Planning Code Article 10 to designate the 1338 Filbert Street Cottages as Landmark No. 232.

Supervisor Newsom, seconded by Supervisor Hall, moved to continue this matter.
Failed adoption by the following vote:
Ayes: 5 - Dufty, Gonzalez, Hall, Newsom, Sandoval
Noes: 6 - Ammiano, Daly, Ma, Maxwell, McGoldrick, Peskin

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Newsom

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdulla Megaheed; SF Police harassment issues
Male Speaker; issues regarding public comment and Board's actions
Tom McDonagh: general issues
Bert Cohen; condo conversion legislation
Female speaker; general issues
Male speaker; Final Map Alemany Blvd.
David Parker; Sunshine Ordinance Task Force; a Sunshine Complaint raised by Michael Stoll
Male Speaker; SFPD issues

APPROVAL OF REQUESTS TO THE LEGISLATIVE ANALYST

These items may be introduced by any Supervisor seeking analysis from the Office of the Legislative Analyst on introduced legislation and for the purpose of providing assistance to Board of Supervisors' task forces and advisory committees. Requests to the Legislative Analyst shall require the affirmative vote of a majority of the members of the Board.

030313 **[Legislative Analyst Request]**
Supervisors Ammiano, Ma, Maxwell, Dufty, Newsom

Motion requesting the Office of the Legislative Analyst, in consultation with the San Francisco Unified School District, research and report on existing SFUSD teacher salaries compared to California and national averages, adjusted to reflect the cost of living in the Bay Area, and on teacher housing initiatives, including housing subsidies, employed by other jurisdictions.

Supervisors Dufty and Newsom requested to be added as co-sponsors.

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Anticipated Litigation

City as Defendant

030320 **[Closed Session - Anticipated Litigation As Defendant]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding anticipated litigation (City anticipated to be a defendant) which may occur regarding a requested disclosure of unredacted telephone records of members of the Board of Supervisors by Michael Stoll. At a February 25, 2003, meeting of the Sunshine Ordinance Task Force, Mr. Stoll threatened litigation against the Board of Supervisors if he did not receive the requested telephone records. The City Attorney advises that, based upon Mr. Stoll's statement, there is a significant exposure to litigation against the City.

Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) would permit this closed session. (City Attorney)

Supervisor Dufty, seconded by Supervisor Daly, moved to reconvene in Closed Session. The motion carried by the following vote:

Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Sandoval
Absent: 4 - Ammiano, McGoldrick, Newsom, Peskin

Recess

The Board recessed at the hour of 7:05 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 7:25 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Sandoval - 8

Quorum present.

Supervisor Ammiano noted absent at 7:04 p.m.
Supervisor McGoldrick noted absent at 7:04 p.m.
Supervisor Newsom noted absent at 7:04 p.m.
Supervisor Peskin noted absent at 7:04 p.m.

Supervisor McGoldrick noted present at 7:15 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:
Supervisors Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,McGoldrick, Sandoval

Dorji Roberts, Deputy City Attorney
Ted Lakey, Deputy City Attorney;
Gloria L. Young, Clerk of the Board;
Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the anticipated litigation listed above.

Supervisor Maxwell, seconded by Supervisor Dufty, moved not to disclose it's Closed Session deliberations. The motion carried by the following vote:

Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval
Absent: 3 - Ammiano, Newsom, Peskin

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030316 **[Accept- Expend State Grant - Port Commission]**
Supervisors Maxwell, Newsom

Resolution authorizing the San Francisco Port Commission to accept and expend a grant in the amount of $143,200 from the State of California San Francisco Bay Natural Resources Protection Trust for the Pier 94 Wetlands Enhancement Project.

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 139-03
ADOPTED

030317 **[Urge Governor Davis to sign AB4X, Stage III Child Care Funding]**
Supervisors Ma, Newsom, Ammiano, Dufty, Peskin, Daly

Resolution urging Governor Gray Davis to support California's young children, working parents, and small and large businesses by ensuring continued funding for Stage III Child Care by signing AB4X.

Supervisors Peskin, Newsom and Daly requested to be added as co-sponsors.

Resolution No. 140-03
ADOPTED

030318 **[Commend International Women's Day]**
Supervisors Ma, Peskin, Newsom, Daly

Resolution commending International Women's Day.

Supervisors Peskin, Newsom and Daly requested to be added as co-sponsors.

Resolution No. 141-03
ADOPTED

030319 **[Support SB 50 and AB 83]**
Supervisor McGoldrick

Resolution Supporting SB 50 and AB 83 Regulating Bottled Water within California.

Resolution No. 142-03
ADOPTED

030329 **[Accept-Expend State Grant - Recreation and Park Department]**
Supervisors Maxwell, Newsom

Resolution authorizing the Recreation and Park Department to accept and expend a grant in the total amount of $200,000 from the California Department of Parks and Recreation under the Fiscal Year 2000 Park Bond Act: Regional Youth Soccer and Baseball Facilities for the renovation of the Soccer Field at Youngblood Coleman Recreation Center.

(No Public Benefit Recipient.)

Resolution No. 143-03
ADOPTED by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval
Absent: 3 - Ammiano, Newsom, Peskin

030330 **[Zero Emission Vehicles]**
Supervisor Daly

Resolution urging the California Air Resources Board to (1) maintain the state's zero-emission vehicle (ZEV) production requirement, (2) prevent a near term "ZEV blackout" where no ZEVs are actually required, and (3) provide stronger incentives for high quality hybrid EVs that will provide real "pure zero emission" miles and accelerate the introduction of ZEVs.

Resolution No. 144-03
ADOPTED

030331 **[Woodburning]**
Supervisor Daly

Resolution urging the residents of the City and County of San Francisco to eliminate or reduce wood burning in residential fireplaces and wood burning stoves as a way to reduce toxic air pollution during the winter months.

Resolution No. 145-03
ADOPTED

030332 **[Support Assembly Bill 45]**
Supervisor Daly

Resolution supporting Assembly Bill 45, regulating the use of mobile telephones while operating a motor vehicle.

Resolution No. 146-03
ADOPTED

030299 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-39
APPROVED

The foregoing items were acted upon by the following vote:
Ayes: 8 - Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Sandoval
Absent: 3 - Ammiano, Newsom, Peskin

Supervisor Ma Excused From Voting

Supervisor Dufty, seconded by Supervisor McGoldrick, moved to excuse Supervisor Ma from voting on this matter. The motion carried by the following vote:
Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Sandoval
Absent: 3 - Ammiano, Newsom, Peskin
Excused: 1 - Ma

Severed From Adoption Without Committee Reference

Supervisor McGoldrick requested that this matter be severed so that it could be considered separately.

030215 **[Appointment]**
Resolution appointing Supervisor Fiona Ma, term ending June 30, 2003 to the Association of Bay Area Governments Executive Board.

Supervisor Fiona Ma, succeeding Supervisor Chris Daly, resigned, seat 1, must be a member of the Board of Supervisors, for the unexpired portion of a 2-year term ending June 30, 2003.

Resolution No. 137-03
ADOPTED by the following vote:
Ayes: 7 - Daly, Dufty, Gonzalez, Hall, Maxwell, McGoldrick, Sandoval
Absent: 3 - Ammiano, Newsom, Peskin
Excused: 1 - Ma

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030347 **[Reauthorizing the Minority/Women/Local Business Utilization Ordinance]**
Supervisors Ma, Newsom

Draft ordinance amending the San Francisco Administrative Code by amending Chapter 12D.A. thereof (1) to extend the Minority/Women/Local Business Utilization Ordinance to June 30, 2008 in order to remedy identified discrimination against certain Prime MBE/WBE Contractors in City Contracting, to continue the City's policy of protecting Prime LBE Contractors from the economic competitive disadvantage of doing business in San Francisco, and to continue to require City contracting departments to implement MBE/WBE programs mandating Prime Contractors to use good faith efforts to use MBE/WBEs when there are subcontracting opportunities in City Contracts; (2) to repeal Sections 12D.A.6(B)(9), 12D.A.8(3) and 12D.A.9(F) to eliminate the contract set aside program; (3) to revise section 12D.A.17 to include prime general services contracts in the subcontracting program; and (4) to make various technical revisions to the Minority/Women/Local Business Utilization Ordinance to conform it with existing City ordinances and administrative practices.
3/4/03, ASSIGNED UNDER 30 DAY RULE to Finance and Audits Committee, expires on 4/3/2003.

030350 **[Hayes-Gough Neighborhood Commercial District]**
Supervisor Gonzalez

Ordinance amending Section 720.40 of the Planning Code to prohibit retail coffee stores in the Hayes-Gough Neighborhood Commercial District; amending Section 720.1 of the Planning Code by adding a new table to describe this prohibition; and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.
3/4/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/3/2003.

030351 **[Planning Code Section 312 - Retail coffee store or pharmaceutical and personal toiletries use]**
Supervisors Gonzalez, Daly, Hall

Ordinance amending Planning Code Section 312 to require that a change in use to a retail coffee store, as defined in Planning Code Section 790.102(n), or to a pharmaceutical and personal toiletries use, as defined in Planning Code Section 790.102(c), or the addition of a prescription drug service where none previously existed within 3 years of an application for an addition, be subject to the notification and review procedures of Section 312, and making findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

(Certificate of Determination of Exemption/Exclusion from Environmental Review dated 5/23/03; Planning Commission Resolution No. 16594, adopted June 5, 2003, recommending approval.)
3/4/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/3/2003.

030352 **[Parking Meter Rates]**
Mayor, Supervisor Gonzalez

Ordinance approving parking meter rates. (Mayor)

(No Public Benefit Recipient.)
3/4/03, RECEIVED AND ASSIGNED to Budget Committee.

030353 **[Building Code Section 106.3.3 - Curb Cuts and Street Tree Removal]**
Supervisor Gonzalez

Ordinance amending the San Francisco Building Code by amending Section 106.3.3 to require proposed curb cuts to be shown on plans and specifications and by adding Section 106.4.1.3 to require curb cut or street tree removal permits required for a project to be approved and issued by the Department of Public Works prior to the issuance of a building permit.
3/4/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/3/2003.

030354 **[Public Education Special Fund]**
Supervisors Daly, Ma

Ordinance adding Administrative Code Section 10.100-367 to establish the "Public Education Special Fund."
3/4/03, RECEIVED AND ASSIGNED to Budget Committee.

030326 **[Prohibiting the use of mobile telephones at public performance]**
Supervisor Daly

Ordinance amending Police Code by adding a new Article 50 to prohibit the use of mobile telephones in places of public performance.

(4/3/03 in Board: Supervisor Daly submitted a substitute ordinance, approved as to form, bearing same title.)
2/25/03, RECEIVED AND ASSIGNED to City Services Committee.
3/4/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance, approved as to form, bearing same title.
3/4/03, ASSIGNED to City Services Committee.

Resolutions

030348 **[2003 Mortgage Revenue Draw Down Bonds]**
Mayor, Supervisors Peskin, Hall

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco Single Family Mortgage Revenue Bonds, Draw Down Series 2003-I, in an aggregate principal amount not to exceed $49,000,000; authorizing the execution and delivery of a Trust Indenture, and a Bond Purchase Contract; Authorizing the Mayor, in consultation with the City Attorney, to make any necessary or advisable modifications, changes, or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith. (Mayor)

(No Public Benefit Recipient.)
3/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030349 **[2003 Mortgage Revenue Single Family Housing Bonds]**
Mayor, Supervisors Peskin, Dufty, Hall

Resolution authorizing the issuance, sale and delivery of City and County of San Francisco Single Family Mortgage Revenue Bonds (GNMA and Fannie Mae Mortgage-Backed Securities Program) Series 2003-A in an aggregate principal amount not to exceed $17,635,000; authorizing the execution and delivery of a Trust Indenture, an Origination, Servicing and Administration Agreement, a 2003 Home Mortgage Assistance Trust Agreement, a Bond Purchase Contract, and an Official Statement; Authorizing the Mayor, in consultation with the City Attorney, to make any necessary or advisable modifications, changes, or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith. (Mayor)

(Public Benefit Recipient.)
3/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030355 **[Induction of Lefty O'Doul to the Baseball Hall of Fame]**
Supervisors Hall, Peskin, McGoldrick

Resolution urging the Veterans Committee of the Baseball Hall of Fame to elect Lefty O'Doul to the Baseball Hall of Fame.
3/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030356 **[Renewable Tidal Energy]**
Supervisors Gonzalez, Ammiano, Peskin, Daly, McGoldrick, Sandoval, Maxwell, Newsom

Resolution supporting the development of a one megawatt renewable tidal energy pilot project within three years.
3/4/03, RECEIVED AND ASSIGNED to Land Use Committee.

030360 **[Honoring National Order of the Ancient Order of Hibernians]**
Supervisors Hall, McGoldrick, Dufty, Sandoval, Newsom

Resolution honoring The National Order of the Ancient Order of Hibernians for launching the Hibernian Hunger Project.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030361 **[Armenian Genocide Commemoration Day]**
Supervisors Peskin, Ammiano, Gonzalez, Maxwell, Dufty, Daly, Hall, McGoldrick, Ma, Sandoval, Newsom

Resolution declaring April 24, 2003 Armenian Genocide Commemoration Day in San Francisco.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030362 **[Gift Acceptance - "Spaceship Earth" Sculpture]**
Supervisors Peskin, Gonzalez, Daly, Sandoval

Resolution recommending the acceptance of a gift, "Spaceship Earth" as a sculptural monument to David R. Brower, first Executive Director of the Sierra Club.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030363 **[Commend SF Police Department]**
Supervisors Newsom, Dufty

Resolution commending the San Francisco Police Department for having been selected to receive a grant award from the U.S. Department of Justice to purchase state-of-the-art crime mapping technology through the federal "Community Oriented Policing Services-Making Officer Redeployment Effective" program; and urging the San Francisco Police Department to continue to adopt innovative technology and management strategies; and to adopt an accountability system as the department begins to implement the technology component of CompStat.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030364 **[Commend David R. Brower]**
Supervisors Newsom, Gonzalez

Resolution supporting the placement of a sculpture in the City of San Francisco to establish a suitable and permanent memorial in commemoration of the late David R. Brower.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030365 **[Funding Levels for Department of Aging and Adult Services]**
Supervisors Newsom, Dufty, Ma, Daly

Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030366 **[Urge Congress to Pass Filipino Veterans Equity Act]**
Supervisors Sandoval, Ammiano, Daly, Gonzalez, McGoldrick, Ma, Dufty, Peskin, Maxwell, Hall, Newsom

Resolution urging 108th U.S. Congress to pass HR 677: Filipino Veterans Equity Act of 2003.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030367 **[Recognize the 3rd Annual Cesar E. Chavez Holiday Parade]**
Supervisors Sandoval, Dufty, McGoldrick

Resolution recognizing the 3rd Annual Cesar Chavez Holiday Parade and Festival on March 30, 2003.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030368 **[Commend South of Market Employment Center]**
Supervisors Sandoval, Dufty

Resolution commending the South of Market Employment Center/Mission Hiring Hall for organizing a successful Resource Job Fair for displaced airport security screeners from San Francisco International Airport.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030369 **[Support Establishment of New Mission Campus]**
Supervisors Sandoval, Ammiano, Ma, Dufty, Peskin, Hall, McGoldrick, Gonzalez, Maxwell, Newsom

Resolution urging the SFUSD School Board to support the establishment of the City College of San Francisco New Mission Campus to be located at 106 and 110 Bartlett Street.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030370 **[Exploitation of Youth Task Force Final Report]**
Supervisors Ammiano, Dufty, Hall, Ma, Newsom

Resolution accepting the recommendations from the Task Force to End the Exploitation of Youth presented at a hearing scheduled February 27, 2003 in the City Services Committee.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearings

030357 **[Management Letters, City audit for Fiscal Year 2001-02.]**
Supervisor Peskin

Hearing to consider the Management Letters related to the City audit for Fiscal Year 2001-02 as presented by the City's external auditors. This hearing is required under Charter Section 9.117.
3/4/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Sponsor requests this item be scheduled for the March 26, 2003 meeting.

030358 **[San Jose's Blight Ordinance]**
Supervisor Hall

Hearing to consider the Legislative Analyst's Report on San Jose's Blight Ordinance.
3/4/03, RECEIVED AND ASSIGNED to Rules Committee.

020928 **[Budget Analyst's Performance Audit on City Planning]**
Supervisor McGoldrick

Hearing to receive and discuss the results of Budget Analyst's performance audit of the San Francisco Department of City Planning.
5/28/02, RECEIVED AND ASSIGNED to Rules and Audits Committee.
6/3/02, TRANSFERRED to Transportation and Commerce Committee.
12/31/02, FILED PURSUANT TO RULE 5.37.
3/4/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor McGoldrick requested this matter be reactivated.
3/4/03, ASSIGNED to Land Use Committee.

Motions

030321 **[Final Map for a 22 Unit Residential Condominium Project]**
Supervisor Ammiano

Motion approving Final Map of 400 Alemany Boulevard, a Residential Condominium Project, being a subdivision of Lot 18, Assessor's Block No. 5843, and adopting findings pursuant to Planning Code Section 101.1.

(No Public Benefit Recipient; DPW Order No. 173,982; Disctrict 9.)
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030359 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

PROPOSED ORDINANCES

030249 **[Settlement of Lawsuit - Paul T. Hare]**
Ordinance authorizing settlement of the lawsuit filed by Paul T. Hare against the City and County of San Francisco for $125,000.00; the lawsuit was filed on January 28, 2002 in San Francisco Superior Court, Case No. 403-930; entitled Paul T. Hare v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)
2/19/03, RECEIVED AND ASSIGNED to Rules Committee.

030250 **[Increase Lobbyist Fees and Late Filing Fines]**
Supervisors Peskin, Daly

Ordinance amending the San Francisco Lobbyist Ordinance, Article II, Chapter 1, sections 2.110 and 2.145 of the San Francisco Campaign and Governmental Conduct Code, to increase registration fees from $300.00 to $500.00; client fees from $50.00 to $75.00; and late filing fines from $25.00 per day to $50.00 per day. (Ethics Commission)

(No Public Benefit Recipient.)
2/19/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030251 **[Settlement Prior to Binding Arbitration]**
Ordinance authorizing settlement of a dispute prior to binding arbitration under Section 23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San Francisco's right to restrict Turlock's ability to schedule monthly capacity factors; Turlock initiated the Section 23 dispute procedure by written notice dated October 10, 2002. (City Attorney)

(No Public Benefit Recipient.)
2/21/03, RECEIVED AND ASSIGNED to Rules Committee.

030273 **[Administrative Code Revision: Health Service System]**
Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates. (Human Resources Department)

(Fiscal impact; No Public Benefit Recipient.)
2/24/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.
2/27/03, TRANSFERRED to Budget Committee.

030274 **[Parking Regulations - Portions of Vallejo Street, between Stockton and Powell Streets]**
Ordinance adding Section 32.6.35 to the San Francisco Traffic Code restricting parking on portions of Vallejo Street, between Stockton and Powell Streets to marked police vehicles only for San Francisco Police Department's Central Station. (Parking and Traffic Department)

(No Public Benefit Recipient.)
2/24/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED RESOLUTIONS

030248 **[Contract Modification for URS Corporation]**
Resolution approving Modification No. 5A to Contract No. 4240.1 with URS Corporation for preparation of environmental impact studies for the proposed runway reconfiguration project for a total contract amount not to exceed $19,741,558. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)
2/20/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030287 **[Parking Regulations]**
Resolution enacting and rescinding parking regulations at various locations.

RESIDENTIAL PERMIT PARKING AREA "S" (TWO-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
20th Street, both sides, between Church and Sanchez Streets (3900 block).

UNMETERED MOTORCYCLE PARKING - ESTABLISH
Fell Street, south side, from 167.5 feet to 171 feet west of Divisadero Street (in front of 1217 - 1221 Fell Street, accommodates one unmetered motorcycle parking stall) (Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)
2/24/03, RECEIVED AND ASSIGNED to Land Use Committee.

030288 **[STOP Intersections]**
Supervisor Newsom

Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
24th and Tennessee Streets, stopping 24th Street at Tennessee Street;
18th and Danvers Streets, stopping Danvers Street, making this intersection an all-way STOP;
Gough Street at Francisco Street, stopping at Gough Street, making this intersection an all-way STOP;
Octavia Street at Francisco Street, stopping Octavia Street, making this intersection an all-way STOP; and
Alhambra, Francisco and Scott Streets, stopping Scott Street, making this intersection an all-way STOP.
(Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)
2/24/03, RECEIVED AND ASSIGNED to Land Use Committee.

030289 **[Traffic Regulations]**
Resolution enacting and rescinding traffic regulations on various streets.

NO TURN ON RED, 6 AM to 8 PM, DAILY - ESTABLISH
Drumm Street, northbound and southbound, at Sacramento Street. (Parking and Traffic Department)

(2/20/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2579; No Public Benefit Recipient.)
2/24/03, RECEIVED AND ASSIGNED to Land Use Committee.

PROPOSED MOTIONS

030281 **[Appointment, Entertainment Commission]**

Motion approving the Mayor's nomination for appointment of Michael Brown to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date -2/4/03.

2/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030282 **[Appointment, Entertainment Commission]**

Motion rejecting the Mayor's nomination for appointment of Michael Brown to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date -2/4/03

2/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030283 **[Appointment, Entertainment Commission]**

Motion approving the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date -2/4/03

2/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030284 **[Appointment, Entertainment Commission]**

Motion rejecting the Mayor's nomination for appointment of Bowman Leong to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date -2/4/03

2/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030285 **[Appointment, Entertainment Commission]**

Motion approving the Mayor's nomination for appointment of Jordan Schlain to the Entertainment Commission, term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date -2/4/03
2/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030286 **[Appointment, Entertainment Commission]**

Motion rejecting the Mayor's nomination for appointment of Jordan Schlain to the Entertainment Commission for the term to be determined. (Mayor)

Section 4.117 of the City Charter provides that this nomination is subject to approval by the Board of Supervisors and shall be the subject of a public hearing and vote within 60 days from the date the nomination is transmitted to the Clerk of the Board. If the Board fails to act on the nomination within 60 days of the date the nomination is transmitted to the Clerk then the nominee shall be deemed approved.
Transmittal date -2/4/03
2/4/03, RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Daly
To: Director, Aging and Adult Services
Requesting/Inquiring: To comment on the Commission on Aging's programs at the Cadillac Hotel, and the current uses of funding appropriated for this purpose.

From: Supervisor Sandoval
To: Fire Department
Requesting/Inquiring: Inquiring about what steps have been taken to investigate whether schools in the San Francisco Unified School District are in compliance with SFFD codes regarding fire exits.

Also requesting the Clerk of the Board send a carbon copy of this letter inquiry and its response to:

San Francisco Unified School District
555 Franklin Street
San Francisco, CA 94102

Mary Harris
President
District 11 Council
127 Granada Avenue
San Francisco, CA 94112

From: Supervisor Sandoval
To: Department of Parking and Traffic
Requesting/Inquiring: Inquiring about the feasibility of establishing a passenger pick up zone during school hours on Alemany Blvd at Santa Rosa Avenue for student pick up at Corpus Christi School and placement of lower speed limit signs for school zones on the same block of the school on Alemany Blvd.

Also requesting the Clerk send a carbon copy of this letter of inquiry and its response to:

Corpus Christi School
Attn: Sister Anna
62 Santa Rosa
San Francisco, CA 94112

Emmanuel Surio
425 Avalon Avenue
San Francisco, CA 94112

From: Supervisor Sandoval
To: Department of Parking and Traffic
Requesting/Inquiring: Inquiring about the feasibility of establishing perpendicular parking on Madrid Street between Peru and Avalon.

Also requesting the Clerk send a carbon copy of this letter of inquiry and its response to:

Iris Ramirez
169 Madrid Street
San Francisco, CA 94112

From: Supervisor Sandoval
To: Department of Public Health
Requesting/Inquiring: Inquiring about the risks to citizens of San Francisco from the West Nile virus, what steps have been taken by the department to minimize these risks, and what information should citizens have to protect themselves from this threat.

Also requesting the Clerk send a carbon copy of this letter of inquiry and its response to:

Lorraine Thompson
18 Mirama Avenue
San Francisco, CA 94112

From: Supervisor Sandoval
To: Karin Carlson, Mayor's Office
Requesting/Inquiring: To report on the progress of making the prohibition of cell phone use while driving city vehicles a top priority in the coming negotiations between the City and various organizations representing City employees as directed by Resolution No. 739-02.

From: Supervisor Sandoval
To: City Attorney
Requesting/Inquiring: To draft legislation requiring the Department of Parking and Traffic to implement traffic calming measures including but not limited to the posting of lower speed limits signs, rumble strips, zebra striping for crosswalks around all schools in San Francisco.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft legislation implementing recommendations in the Legislative Analyst's Report on San Jose's Blight Ordinance.

In Memoriams

Margaret Granucci (Supervisor Hall)
Victor John Ramus (Supervisor Newsom)
Pui Chun Ng (Supervisor Peskin)

ADJOURNMENT

There being no further business, the Board at the hour of 7:29 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 1, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

MEETING MINUTES

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Tuesday, March 18, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Dufty, Daly - 2

Quorum present.

Supervisor Dufty noted present at 2:02 p.m.
Supervisor Daly was excused from attending today's meeting. (See Infra)

Supervisor Daly Excused from Attendance

Supervisor Newsom, seconded by Supervisor Peskin, moved to excuse Supervisor Daly from attending today's meeting. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

APPROVAL OF MEETING MINUTES

Supervisor McGoldrick, seconded by Supervisor Newsom, moved to approve February 18, 2003 and February 25, 2003 Meeting Minutes. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Privilege of the Floor

Supervisor Hall, seconded by Supervisor Dufty, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Hall introduced, welcomed and presented Certificates of Honor to the Lord Mayor of South Dublin, Ireland and Joseph Horan, County Manager of Meath, Ireland.

COMMUNICATIONS

Clerk of the Board informed the Board that a Mayor's veto of ordinance appropriating funding for the investigation and litigation against Tutor-Saliba Construction (File No. 030132) was received. The ordinance will be calendared for re-consideration on March 25, 2003.

CONSENT AGENDA

Recommendation of the Finance and Audits Committee

030179 **[Lease of Real Property]**
Resolution authorizing the exercise of a five year option to extend the lease of approximately 25,939 square feet of space at 1390 Market Street for the Department of Public Health. (Real Estate Department)

(Public Benefit Recipient.)

Resolution No. 159-03
ADOPTED

Recommendations of the City Services Committee

030128 **[Training programs for clinical and related professionals]**
Supervisors Dufty, Ma

Resolution authorizing the San Francisco Department of Public Health, Community Health Network of San Francisco, Laguna Honda Hospital (CHN, LHH) to enter retroactively into an amendment to a contract agreement with The Board of Trustees of the Leland Stanford Junior University (STANFORD), the primary contractor, and expend funds in the amount of $5,000 for research services; for the period of July 1, 2002 to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Resolution No. 156-03
ADOPTED

030233 **[Provide car seats and information to pregnant and parenting teens]**
Supervisors Dufty, Ma, Sandoval, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $2,500 from the State of California Department of Health Services (CDHS), to implement a car seat bank program; for the period of December 15, 2002 through January 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)

Supervisors Sandoval and Newsom requested to be added as co-sponsors.

Resolution No. 151-03
ADOPTED

030235 **[Cover the Uninsured Week]**
Supervisors Dufty, Ma, Sandoval, Newsom

Resolution endorsing and supporting Cover the Uninsured Week, encouraging San Franciscans to attend the week's events to offer ideas and recommendations to address the problem of the uninsured, and proclaiming March 10 through 16 "Cover the Uninsured Week" in San Francisco. (Public Health Department)

(No Public Benefit Recipient.)

Supervisors Sandoval and Newsom requested to be added as co-sponsors.

Resolution No. 160-03
ADOPTED

Recommendations of the Land Use Committee

030165 **[STOP Intersections]**
Resolution designating certain intersections as "STOP" intersections.

STOP SIGNS - ESTABLISH
Gennessee Street and Joost Avenue, stopping Gennessee Street and Joost Avenue, making this intersection an all-way STOP;
Castro Street, stopping northbound Castro Street at Bemis and Sussex Streets;
Milton I. Ross Street and Jerrold Avenue, stopping both eastbound and westbound Milton I. Ross Street; and Lettuce Lane and Jerrold Avenue, stopping eastbound Lettuce Lane at Jerrold Avenue. (Parking and Traffic Department)

(1/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street; DPT Order No. 2565; No Public Benefit Recipient.)

Resolution No. 157-03
ADOPTED

030166 **[Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

NO PARKING ANYTIME - RESCIND
TOW-AWAY, NO PARKING ANYTIME - ESTABLISH
Russian Hill Place, east side, from Vallejo to 15 feet northerly.

TOW-AWAY, NO STOPPING ANYTIME - ESTABLISH
Point Lobos Avenue, south side, from 40th Avenue to 80 feet westerly (adjacent to center roadway island).

TOW-AWAY, NO PARKING ANYTIME, 10 PM - 6 AM, EVERYDAY - ESTABLISH
Executive Park Boulevard, east side, between Alana Way and Blanken Avenue.

PERPENDICULAR (90-DEGREE ANGLE) PARKING - ESTABLISH
Ervine Street, west side, from Wilde Street to 346 feet southerly;
South Park Avenue, both sides, from 2nd Street to 125 feet westerly; and
South Park Avenue, both sides, from 3rd Street to 125 feet easterly.

TWO-HOUR PARKING TIME LIMIT, 9 AM - 5 PM, MONDAY THROUGH FRIDAY - ESTABLISH
18th Street, both sides, between 3rd and Tennessee Streets.

UNMETERED MOTORCYCLE PARKING - ESTABLISH
7th Street, west side, from 48 to 76 feet north of Townsend Street (accommodates six unmetered motorcycle parking spaces); and

UNMETERED MOTORCYCLE PARKING - ESTABLISH
8th Street, east side, from Division Street to 10.5 feet northerly (accommodates three unmetered motorcycle parking spaces).

RESIDENTIAL PERMIT PARKING AREA "J" (2-HOUR TIME LIMIT, 8 AM - 5 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
17th Street, both sides, between Shrader and Stanyan Streets (4900 block).

RESIDENTIAL PERMIT PARKING AREA "S" (2-HOUR TIME LIMIT, 8 AM - 9 PM, MONDAY THROUGH FRIDAY) - RESCIND
Rose Street, north side, from Market Street to 26 feet westerly.

RESIDENTIAL PERMIT PARKING AREA "X" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
Arkansas Street, east side, from 50 feet south of 17th Street to Marioposa Street (100 block, starting with address #113); and
Arkansas Street, west side, between 17th and Mariposa Streets (100 block).

RESIDENTIAL PERMIT PARKING AREA "Z" (2-HOUR TIME LIMIT, 8 AM - 6 PM, MONDAY THROUGH FRIDAY) - ESTABLISH
25th Street, both sides, between Church and Dolores Streets (3800 block);
Church Street, both sides, between 25th and Clipper Streets. (portion of the 1300 block);
Fair Oaks Street, both sides, between 21st and 22nd Streets (Unit block); and
Valencia Street, east side, from 22nd to 23rd Streets (1100 block). (Parking and Traffic Department)

Resolution No. 158-03
ADOPTED

Recommendations of the Rules Committee

021545 **[Appointments]**

Resolution appointing Cheryl Brinkman, Susan Vaughn, Ken Kelton, Jeanne Lynch, Pi Ra, Howard Strassner, Shirley Bierly, Ed Franklin, and Sharon Priest, terms to be determined, to the Pedestrian Safety Advisory Committee.

Cheryl Brinkman, new position, seat 1, must be a representative from a pedestrian safety organization, for a two-year term (ending date to be determined);
Susan Vaughn, new position, seat 2, must be a representative from a pedestrian safety organization, for a two-year term (ending date to be determined);
Ken Kelton, new position, seat 3, must be a representative from a pedestrian safety organization, for a two-year term (ending date to be determined);
Jeanne Lynch, new position, seat 4, must be a representative from a senior or disability organization, for a two-year term (ending date to be determined);
Pi Ra, new position, seat 6, must be a representative from a bicycle or other non-motorized wheeled personal transport organization, for a two-year term (ending date to be determined);
Howard Strassner, new position, seat 7, must be a representative from a transit or environmental organization, for a two-year term (ending date to be determined);
Shirley Bierly, new position, seat 9, must be a representative from a public health organization, for a two-year term (ending date to be determined);
Ed Franklin, new position, seat 10, must be a representative from the public at-large, for a two-year term (ending date to be determined);
Sharon Priest, new position, seat 11, must be a representative from the public at-large, for a two-year term (ending date to be determined).

Resolution No. 153-03
ADOPTED

030259 **[Appointments]**

Motion appointing Jim Meko, Terrance Alan and Erik Joseph Pred, terms to be determined, to the Entertainment Commission.

Jim Meko, new position, seat 1, shall represent the interests of City neighborhood associations or groups for a term to be determined.
Terrance Alan, new position, seat 2, shall represent the interests of entertainment associations or groups for a term to be determined.
Erik Joseph Pred, new position, seat 3, shall represent the interests of the public health community for a term to be determined.

Motion No. M03-42
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendations of the Budget Committee

030088 **[MOU, Local 790, for staff nurses and per diem nurses]**
Supervisors Newsom, Ammiano, Dufty, Maxwell, Daly, Gonzalez

Ordinance adopting and implementing an amendment to the 2000-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Service Employees International Union, Local 790, AFL-CIO for staff nurses and per diem nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.

(Fiscal impact.)

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 38-03

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Daly

030089 **[MOU, Local 856 for Supervising Nurses]**
Supervisors Newsom, Ammiano, Dufty, Maxwell, Daly, Gonzalez

Ordinance adopting and implementing an amendment to the 2001-2003 Collective Bargaining Agreement between the City and County of San Francisco and the Teamsters Local 856 for Supervising Nurses by extending the terms and conditions of the Collective Bargaining Agreement through June 30, 2005.

(Fiscal impact.)

Supervisor Gonzalez requested to be added as a co-sponsor.

Ordinance No. 39-03

FINALLY PASSED by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Daly

Recommendation of the City Services Committee

021857 **[Amend Health Code - Lead Hazard Definition Amendment]**
Supervisors Ammiano, Newsom, Daly, Gonzalez, Sandoval

Ordinance amending Section 1601 of Article 26 of the San Francisco Health Code to change the title of the Article to emphasize the lead poisoning prevention aspect of the Article; amending the definitions for various lead hazards in Section 1603 of Article 26 of the San Francisco Health Code to conform with the newly promulgated lead levels from the United States Environmental Protection Agency ("USEPA") and the California Department of Health Services ("CDHS") for Dust-Lead Hazard; conforming the terms used in the Article to those used by USEPA and CDHS; amending the definitions for "Case-Managed Child," "Elevated Blood Lead Child" and "Lead-Poisoned Child" to conform with the new requirements from the California Department of Health Services regarding case-management of lead-poisoned children, and making conforming changes to Sections 1601, 1602, 1604, 1617, and 1626.

Supervisors Gonzalez and Sandoval requested to be added as co-sponsors.

Ordinance No. 36-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendation of the Finance and Audits Committee

030245 **[Funding for the program management services for PUC capital projects]**
Mayor

Ordinance appropriating $5,600,000 of fund balance from the Water Department, $560,000 of fund balance from Hetch Hetchy, and $840,000 of fund balance from Clean Water for a total of $7,000,000 for program management services for the Public Utilities Commission's capital projects for fiscal year 2002-03, placing $5,188,465 on Finance and Audits Committee Reserve. (Mayor)

(Fiscal impact; No Public Benefit Recipient.)

Ordinance No. 41-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Land Use Committee

030029 **[Authorizing MTA to proceed with CM/GC project delivery method for Muni Metro East Project]**
Supervisors Ammiano, Maxwell, Dufty, Newsom

Ordinance exempting the Municipal Transportation Agency (MTA) from subcontractor listing requirements of Administrative Code Chapter 6 for the proposed construction of the Muni Metro East Light Rail Vehicle Maintenance and Operations Facility Project; and authorizing the MTA to take all necessary steps to procure such work through a CM/GC contract duly awarded pursuant to this Ordinance. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Ordinance No. 37-03
FINALLY PASSED by the following vote:
Ayes: 7 - Ammiano, Dufty, Hall, Ma, Maxwell, Newsom, Peskin
Noes: 3 - Gonzalez, McGoldrick, Sandoval
Excused: 1 - Daly

030146 **[Changing Official Width of Sidewalk]**
Supervisor Hall

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section No. 1558 to change the official sidewalk width at the southeast and southwest corners of Woodside and Idora Avenues; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes. (Public Works Department)

(No Public Benefit Recipient.)

Ordinance No. 40-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030097 **[Designate the 1338 Filbert Street Cottages as a Landmark]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell

Ordinance amending Planning Code Article 10 to designate the 1338 Filbert Street Cottages, Lots 32, 33 and 34 in Assessor's Block 524, as Landmark No. 232.

Supervisor Peskin, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Ordinance amending Planning Code Article 10 to designate the 1338 Filbert Street Cottages, Lots 31, 32, 33 and 34 in Assessor's Block 524, as Landmark No. 232.

PASSED ON FIRST READING AS AMENDED by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Newsom
Excused: 1 - Daly

NEW BUSINESS

Recommendations of the Budget Committee

030095 **[Recreation and Parks -- Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code by amending Sections 7.16 and 7.18 to require a cleaning deposit and reimbursement for costs for the use of park facilities; amending Sections 12.05, 12.07, 12.20, and adding Sections 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27 to increase the fees charged for the use of Recreation and Park facilities for weddings, events, picnics, photography and filming, encroachment, for parking on the Golden Gate Park Concourse and for classes at the Sharon Arts Studio; and adding Section 12.28 authorizing the Recreation and Park Commission to develop policies and procedures to allow the General Manager to reduce or waive fees in the case of demonstrated financial hardship. (Mayor)

PASSED ON FIRST READING by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

022049 **[Contracting out Laundry Services at San Francisco General Hospital]**
Resolution concurring retroactively, with the Controller's certification that the laundry services can be performed for the Department of Public Health, San Francisco General Hospital by private contractor for a lower cost than similar work performed by City and County employees. (Public Health Department)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 155-03
ADOPTED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Finance and Audits Committee

021997 **[Authorizing the transfer of Institutional Police from the Department of Public Health to the Sheriff]**
Supervisors Peskin, Dufty, Ma, Newsom, Gonzalez, Maxwell

Ordinance amending the Administrative Code by adding a new Section 1.59 to authorize the transfer of the Institutional Police Department from the Department of Public Health to the Sheriff.

(Fiscal impact.)

Supervisors Gonzalez and Maxwell requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall
Excused: 1 - Daly

030220 **[International Museum of Women]**
Supervisors Daly, Dufty, Maxwell, Peskin, McGoldrick, Ammiano, Gonzalez

Resolution exempting the potential lease of Pier 26 to the International Museum of Women from the competitive bidding policy set forth in Administrative Code Section 2.6-1.

Supervisors Ammiano and Gonzalez requested to be added as co-sponsors.

Resolution No. 150-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030224 **[Appropriation - Assessor-Recorder's Office]**
Supervisor Dufty

Ordinance appropriating $349,671 in surplus recording fees and re-appropriating $194,128 in equipment, materials and supplies and professional services for a total of $543,799 to cover shortfalls in salaries and services of other departments and for temporary salaries and fringes to address the backlog of deed processing, appraisals, permits, appeals in the Assessor-Recorder's Office for fiscal year 2002-03.

(Fiscal impact; No Public Benefit Recipient.)

Supervisor Gonzalez requested to be added as a co-sponsor.

Supervisor Hall, seconded by Supervisor Ammiano, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Ordinance appropriating $349,671 in surplus recording fees and re-appropriating $194,128 in equipment, materials and supplies and professional services for a total of $543,799 to cover shortfalls in salaries and services of other departments and for temporary salaries and fringes to address the backlog of deed processing, appraisals, permits, appeals in the Assessor-Recorder's Office for fiscal year 2002-03, placing $40,790 on reserve by the Finance and Audit Committee.

(Fiscal impact; No Public Benefit Recipient.)

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the City Services Committee

030237 **[911 Digital Technology]**
Supervisors Newsom, Dufty, Ma, Maxwell

Resolution urging the Office of the District Attorney, the San Francisco Police Department, the Department of Telecommunications and Information Systems, the Emergency Communications Department, and the Department on the Status of Women to collaborate in order to consider and make recommendations on the advantages of bringing 911 digital technology to the City and County of San Francisco as another viable medium of combating domestic violence.

Supervisor Maxwell requested to be added as a co-sponsor.

Resolution No. 161-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030247 **[Accept-Expend Federal Grant]**
Supervisors Dufty, Ma, Newsom, Maxwell

Resolution authorizing the Chief of Police for the City and County of San Francisco to retroactively accept and expend grant funds made available through the U.S. Department of Justice - Office of Community Oriented Policing for a project entitled "COPS-MORE 2002; Crime Analysis Hardware and Software". (Police Department)

(No Public Benefit Recipient.)

Supervisor Maxwell requested to be added as a co-sponsor.

Resolution No. 162-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030026 **[Liquor License Transfer, 560 Hayes Street]**

Resolution determining that the transfer of a Type 21 off-sale general alcoholic beverage control license from 1419 Stockton Street to 560 Hayes Street (District 6), to Beau Timken for True Sake, LLC will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 147-03

ADOPTED by the following vote:

Ayes: 9 - Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano
Excused: 1 - Daly

030084 **[Liquor License Transfer, 1419 Fillmore Street]**

Resolution determining that the transfer of a Type 48 on-sale general public premises license from 711 Market Street, to Pascal B. Thiam for Savanna Jazz, LLC located at 1419 Fillmore Street (District 5), will serve the convenience of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code; with conditions.

Resolution No. 148-03

ADOPTED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Daly

030133 **[Loan application relating to the renovation of the San Francisco Marina]**
Supervisor Newsom

Resolution certifying the need for the renovation of the San Francisco Marina Small Craft Harbor; requesting a loan from the California Department of Boating and Waterways to finance the renovation of the San Francisco Marina Small Craft Harbor; approving the form of the loan application documentation and authorizing the submission of such documentation to the California Department of Boating and Waterways; and ratifying and approving actions taken in connection with the submission of the loan application.

Amended on page 2, line 12, by deleting "approved" and inserting "authorized but does not constitute approval or permitting of the proposed project."

Supervisor Peskin, seconded by Supervisor Newsom, moved that this Resolution be AMENDED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Daly

Resolution No. 149-03

ADOPTED AS AMENDED by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Daly

Recommendations of the Land Use Committee

021772 **[Conditional Use Revocation]**
Supervisors Gonzalez, Dufty, Hall, Peskin, Ma, McGoldrick, Daly

Ordinance amending the San Francisco Planning Code by amending Section 303 to provide for the revocation of a conditional use authorization upon a finding that the applicant provided false information in obtaining the conditional use; adopting findings under Planning Code Section 302.

Supervisors Dufty, Hall, Peskin, Ma and McGoldrick requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Daly

030081 **[Parking Regulations, Blanken Avenue]**
Supervisor Gonzalez

Ordinance deleting Section 28.5.5 of the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on Blanken Avenue between Bayshore Boulevard and Tunnel Avenue. (Parking and Traffic Department)

Supervisor Gonzalez requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Daly

030099 **[Extending annual condominium conversion limitation]**
Supervisors McGoldrick, Hall

Ordinance amending the San Francisco Subdivision Code Article 9, Section 1396 to extend the annual condominium conversion limitation for two additional years and providing for the conversion of specified buildings where a property owner submitted a subdivision application on or before January 21, 2003.

2/4/03 in Board: Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Supervisor Hall requested to be added as a co-sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 9 - Ammiano, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Dufty
Excused: 1 - Daly

030157 **[1250 Haight Street - Zoning Map Change from RM-1 to RM-1 and Haight Street Senior Affordable Housing SUD]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property use classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from an RM-1 (Residential, Mixed, Low Density) District to an RM-1 (Residential, Mixed, Low Density) District and the Haight Street Senior Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

Supervisor Gonzalez requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030158 **[1250 Haight Street - Zoning Map Change from 40-X to 40-X and 60-X Height and Bulk District]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property height classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from 40-X Height and Bulk District to 60-X Height and Bulk District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

Supervisor Gonzalez requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030155 **[1250 Haight Street - Special Use District to create Haight Street Senior Affordable Housing]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create a Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Companion measure to Files 030155, 030156, 030157, 030158; Planning Resolution Nos. 16500 and 16501 adopting all four proposed Planning Code and Zoning Map amendments (Reclassification Application No. 2002.0451CTZ on December 19, 2002; Motion No. 16502 approving Conditional Use Application No. 2002.0451CTZ on December 19, 2002; Certificate of Determination/Exclusion from CEQA Environmental Review dated September 10, 2002; No Public Benefit Recipient.)
(2/18/03 in Board: Supervisor Gonzalez submitted a substitute ordinance bearing same title.)

Supervisor Gonzalez requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030156 **[1250 Haight Street - Special Use District to create Special Height Exception for the Haight Street Senior Affordable Housing]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the San Francisco Planning Code by adding Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

Supervisor Gonzalez requested to be added as sponsor.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

021945 **[Parking Regulations, Various Locations]**

Resolution enacting and rescinding parking regulations at various locations.

PARKING METER AREA NO. 3 (1-HOUR TIME LIMIT, 9 AM - 6 PM, MONDAY THROUGH SATURDAY) - ESTABLISH
Stillman Street, north side, between 147 Stillman and 4th Streets.

Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street. (Parking and Traffic Department)

(DPT Order No. 2508.)

Resolution No. 154-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Recommendations of the Rules Committee

021996 **[Voter Information Pamphlet Amendments]**
Supervisor Gonzalez

Ordinance amending sections 500, 530 and 550 of the San Francisco Municipal Elections Code to require the Director of Elections to publish in the Voter Information Pamphlet: (1) a description of every elector's right to seek a writ of mandate or an injunction requiring any or all of the materials in the Voter Information Pamphlet to be amended or deleted, and (2) a disclaimer at the beginning of each ballot measure argument and rebuttal authorized by the Board of Supervisors explaining which members of the Board of Supervisors endorse, oppose or have taken no position on the measure; and to clarify that when the Board of Supervisors authorizes a member or members of that body to submit a ballot measure argument or rebuttal, it shall do so by motion, and it need not take any further action, including voting on or otherwise approving the actual text of the argument or rebuttal.

PASSED ON FIRST READING by the following vote:
Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Maxwell
Excused: 1 - Daly

030188 **[Confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency]**
Mayor

Resolution confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006. (Mayor)

Continued to March 25, 2003

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030190 **[Confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency]**
Mayor

Resolution confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006. (Mayor)

Continued to March 25, 2003

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030191 **[Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006. (Mayor)

Continued to March 25, 2003

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030137 **[Scheduling Items on Committee Consent Agendas]**
Supervisors Ammiano, Peskin

Motion amending Rule 5.40 of the Rules of Order of the Board of Supervisors of the City and County of San Francisco to provide additional guidelines for scheduling items on consent agendas in Board Committee meetings.

Amended on page 3, line 3, by deleting "j. Committee members would review information contained in their Committee agenda packets." and further amended on page 2, line 10, by inserting "9. Other items that the Committee Chair and the Budget Analyst agree do not require a Budget Analyst's review and reports"; and on page 3, line 10, by deleting "9. Other items that the Committee Chair and the Budget Analyst agree do not require a Budget Analyst's review and reports."

Supervisor Peskin, seconded by Supervisor Ammiano, moved that this Motion be AMENDED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Motion No. M03-41

APPROVED AS AMENDED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

From the Rules Committee "Without Recommendation"

030189 **[Confirming the appointment of Ben Hom to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006. (Mayor)

(Supervisor Hall excused from voting.)

Continued to March 25, 2003

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Peskin, seconded by Supervisor McGoldrick, moved to rescind the previous vote.

Motion carried by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1- Daly

Supervisor Hall Excused From Voting

Supervisor Ammiano, seconded by Supervisor Ma, moved to excuse Supervisor Hall , at his request, from voting this matter. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 2 - Daly, Hall

Supervisor Peskin, seconded by Supervisor Dufty, moved that this Resolution be CONTINUED. The motion carried by the following vote:

Ayes: 9 - Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 2 - Daly, Hall

COMMITTEE REPORTS

From the Land Use Committee

030372 **[Designate One of the Four 1338 Filbert Street Cottages as a Landmark]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell

Ordinance amending Planning Code Article 10 to designate One of the Four Cottages located at 1338 Filbert Street, Lot 31 in Assessor's Block 524, as Landmark No. ___.

TABLED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

ROLL CALL FOR INTRODUCTIONS

PUBLIC COMMENT

Abdullah Megaheed; war issues
Charles Paskerian, Member of the Armenian American Organization of California; Commemoration of the Armenian Genocide
Francisco Da Costa: AB1187 and general issues
Mark Markarian, Member of the SF Chapter Armenian National Committee; Commemoration of the Armenian Genocide
Bob Kharissarian; Commemoration of the Armenian Genocide
Male Speaker; homeless issues and war issues
Tom McDonagh; Academy of Sciences
Andrew Bozeman; Bayview Hunter's Point, in support of saving the jobs of the Environmental Officers
Female Speaker; statement regarding Supervisor Newsom's conflict of interest statement
Robert Pender, VP of Park Merced Apartments residence; eviction notice

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

Items 43 through 60

030359 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-44
APPROVED

030360 **[Honoring National Order of the Ancient Order of Hibernians]**
Supervisors Hall, McGoldrick, Dufty, Sandoval, Newsom

Resolution honoring The National Order of the Ancient Order of Hibernians for launching the Hibernian Hunger Project.

Supervisors Dufty, Sandoval and Newsom requested to be added as co-sponsors.

Resolution No. 163-03
ADOPTED

030362 **[Gift Acceptance - "Spaceship Earth" Sculpture]**
Supervisors Peskin, Gonzalez, Daly, Sandoval

Resolution recommending the acceptance of a gift, "Spaceship Earth" as a sculptural monument to David R. Brower, first Executive Director of the Sierra Club.

Supervisor Sandoval requested to be added as a co-sponsor.

Resolution No. 165-03
ADOPTED

030363 **[Commend SF Police Department]**
Supervisors Newsom, Dufty

Resolution commending the San Francisco Police Department for having been selected to receive a grant award from the U.S. Department of Justice to purchase state-of-the-art crime mapping technology through the federal "Community Oriented Policing Services-Making Officer Redeployment Effective" program; and urging the San Francisco Police Department to continue to adopt innovative technology and management strategies; and to adopt an accountability system as the department begins to implement the technology component of CompStat.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 166-03
ADOPTED

030364 **[Commend David R. Brower]**
Supervisors Newsom, Gonzalez

Resolution supporting the placement of a sculpture in the City of San Francisco to establish a suitable and permanent memorial in commemoration of the late David R. Brower.

Supervisor Gonzalez requested to be added as a co-sponsor.

Resolution No. 167-03
ADOPTED

030366 **[Urge Congress to Pass Filipino Veterans Equity Act]**
Supervisors Sandoval, Ammiano, Daly, Gonzalez, McGoldrick, Ma, Dufty, Peskin, Maxwell, Hall, Newsom

Resolution urging 108th U.S. Congress to pass HR 677: Filipino Veterans Equity Act of 2003.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 168-03
ADOPTED

030367 **[Recognize the 3rd Annual Cesar E. Chavez Holiday Parade]**
Supervisors Sandoval, Dufty, McGoldrick

Resolution recognizing the 3rd Annual Cesar Chavez Holiday Parade and Festival on March 30, 2003.

Supervisors Dufty and McGoldrick requested to be added as co-sponsors.

Resolution No. 169-03
ADOPTED

030368 **[Commend South of Market Employment Center]**
Supervisors Sandoval, Dufty

Resolution commending the South of Market Employment Center/Mission Hiring Hall for organizing a successful Resource Job Fair for displaced airport security screeners from San Francisco International Airport.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 170-03
ADOPTED

030369 **[Support Establishment of New Mission Campus]**
Supervisors Sandoval, Ammiano, Ma, Dufty, Peskin, Hall, McGoldrick, Gonzalez, Maxwell, Newsom

Resolution urging the SFUSD School Board to support the establishment of the City College of San Francisco New Mission Campus to be located at 106 and 110 Bartlett Street.

Supervisors Ammiano, Ma, Dufty, Peskin, Hall, McGoldrick, Gonzalez, Maxwell and Newsom requested to be added as co-sponsors.

Resolution No. 171-03
ADOPTED

030370 **[Exploitation of Youth Task Force Final Report]**
Supervisors Ammiano, Dufty, Hall, Ma, Newsom

Resolution accepting the recommendations from the Task Force to End the Exploitation of Youth presented at a hearing scheduled February 27, 2003 in the City Services Committee.

Supervisors Dufty, Hall, Ma and Newsom requested to be added as co-sponsors.

Resolution No. 172-03
ADOPTED

030321 **[Final Map for a 22 Unit Residential Condominium Project]**
Supervisor Ammiano

Motion approving Final Map of 400 Alemany Boulevard, a Residential Condominium Project, being a subdivision of Lot 18, Assessor's Block No. 5843, and adopting findings pursuant to Planning Code Section 101.1.

(No Public Benefit Recipient; DPW Order No. 173,982; Disctrict 9.)

Motion No. M03-43
APPROVED

030380 **[Final Map for a 6 Unit Live/Work Condominium Project]**
Motion approving Final Map of 2111 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 14, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,999; District 10.)

Motion No. M03-45
APPROVED

030381 **[Final Map for a 6 Unit Live/Work Condominium Project]**
Motion approving Final Map of 2121 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 13, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,998; District 10.)

Motion No. M03-46
APPROVED

030382 **[Final Map for a 6 Unit Live/Work Condominium Project]**
Motion approving Final Map of 2131 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 12, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,997; District 10.)

Motion No. M03-47
APPROVED

030383 **[Final Map for a 6 Unit Live/Work Condominium Project]**

Motion approving Final Map of 2141 26th Street, A Live/Work Condominium Project, being a subdivision of Lot 11, Assessor's Block No. 4327A, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,996; District 10.)

Motion No. M03-48
APPROVED

030384 **[Final Map for an 8 Unit Residential Condominium Project]**

Motion approving Final Map of 2315 Van Ness Avenue, a Residential Condominium Project, being a subdivision of Lot 36, Assessor's Block No. 551, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 173,995; District 2.)

Motion No. M03-49
APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Severed from For Without Committee Reference

Supervisor Peskin requested that this matter be severed so that it could be considered separately.

030361 **[Armenian Genocide Commemoration Day]**
Supervisors Peskin, Ammiano, Gonzalez, Maxwell, Dufty, Daly, Hall, McGoldrick, Ma, Sandoval, Newsom

Resolution declaring April 24, 2003 Armenian Genocide Commemoration Day in San Francisco.

Supervisor Newsom requested to be added as a co-sponsor.

Resolution No. 164-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

Supervisor Hall requested that this matter be severed so that it could be considered separately.

030365 **[Funding Levels for Department of Aging and Adult Services]**
Supervisors Newsom, Dufty, Ma, Daly

Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.

Supervisor Hall requested that this matter be referred to Committee.

REFERRED to the Budget Committee.

IMPERATIVE AGENDA

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the Serious Injury Finding or the Purely Commendatory Finding and the Brown Act Finding. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s). For such resolutions to be considered, the Board must first adopt the following two motions.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Ammiano, seconded by Supervisor Sandoval, moved ADOPTION of the Commentary Finding Act. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Ammiano, seconded by Supervisor Sandoval, moved ADOPTION of the Brown Act Finding. The motion carried by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

030425 **[Gideon 40th Anniversary]**
Supervisor Gonzalez

Resolution establishing March 18, 2003 as Gideon Day in commemoration of the 40th anniversary of the decision mandating the right to counsel for all regardless of income.

Resolution No. 173-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Excused: 1 - Daly

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

020295 **[Golden Triangle Light Standards as Landmark]**
Supervisors McGoldrick, Peskin

Ordinance Designating The Golden Triangle Light Standards As Landmark No. 233 Pursuant To Article 10, Sections 1004 And 1004.4 of the Planning Code.

2/19/02, RECEIVED AND ASSIGNED to Transportation and Commerce Committee.

12/30/02, FILED PURSUANT TO RULE 5.37.

3/18/03, REACTIVATED PURSUANT TO RULE 5.24. Supervisor McGoldrick requested to reactivate this matter and be the substitute sponsor for former Supervisor Leno.

3/18/03, ASSIGNED to Land Use Committee.

020592 **[Modifying collection procedures for the Transit Impact, Housing, Child Care, Park and Inclusionary Housing Fees by transferring responsibility for collection and enforcement to the Treasurer]**
Supervisors Peskin, McGoldrick

Ordinance (1) amending the Planning Code by amending Sections 139, 313.1, 313.4, 313.5, 313.6, 313.7, 313.8, 313.9, 313.10, 314.1, 314.4, 315.3 and 315.6 to transfer collection authority for in lieu fees collected for the Park Fund, the Jobs-Housing Linkage Program, Child Care Requirement and the Inclusionary Affordable Housing Program from the Controller to the Treasurer and conform collection procedures for these fees; and (2) amending the Administrative Code by amending Sections 38.1, 38.3, 38.4, 38.5, 38.6, 38.8, 38.8.5, 38.9, 38.10, 38.11 and 38.45 to transfer collection of the Transit Impact Development Fee from the General Manager of the Public Utilities Commission to the Treasurer and conform collection and enforcement procedures for the fee.

4/15/02, RECEIVED AND ASSIGNED to Finance Committee. 4/19/02 - Transmitted to Planning Commission for public hearing and recommendation.

1/9/03, RESPONSE RECEIVED. Certificate of Exemption/Exclusion from Environmental Review dated 6/13/02.

2/5/03, TRANSFERRED to Finance and Audits Committee. New committee structure 2/17/03.

3/18/03, SUBSTITUTED. Supervisor Peskin submitted a substitute ordinance bearing new title and requested this item be scheduled for consideration at the March 2, 2003 meeting.

3/18/03, ASSIGNED to Finance and Audits Committee.

030415 **[Approval of Health Service System Plans and Contribution Rates]**
Supervisors Ma, Daly

Ordinance amending Chapter 16, Article XV, of Part I of the San Francisco Municipal (Administrative) Code by amending Section 16.703 regarding Board approval of Health Service System Plans and Contribution Rates.

(No Public Benefit Recipient.)

3/18/03, RECEIVED AND ASSIGNED to Budget Committee. Sponsor requests this item be scheduled at the March 27, 2003 meeting.

030416 **[Funding for lease financing of two asphalt storage silos]**

Ordinance appropriating $2,155,617 of lease financing revenues to construct two asphalt storage silos for the Department of Public Works for fiscal year 2002-03; and declaring the City's intent to reimburse itself for such appropriations from the proceeds of a lease-purchase financing. (Mayor)

3/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030419 **[Prohibiting towing contractor from owning an interest in other auto-related businesses]**
Supervisor Peskin

Draft ordinance amending Article 14 of the Traffic Code by amending Section 235 to prohibit the Director of Parking & Traffic from entering a contract for the towing of illegally parked or abandoned vehicles with any person who owns an interest in another auto-related business.

3/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030420 **[Specifying that revenues from littering citations issued by DPW environmental control officers go to DPW]**
Supervisors McGoldrick, Dufty, Maxwell, Ma, Peskin

Ordinance amending Section 38 of the Police Code Article to specify that revenues from citations issued by DPW environmental control officers for littering shall be allocated to DPW and used to fund litter enforcement and abatement.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030422 **[Environment Code and Precautionary Principle Policy]**
Mayor, Supervisor Newsom

Ordinance enacting a new Environment Code by repealing Chapters 12I (Tropical Hardwood and Virgin Redwood Ban); 12S (Ban on Purchase of Motor Vehicle Fuel Containing MTBE); 12T (Transportation of Aggregate Materials); 21A (Resource Conservation); 21F (Environmentally Preferable Purchasing); 21G (Arsenic-Treated Wood); 39 (Integrated Pest Management Ordinance); 82 (Resource Efficiency Requirements; 85 (Healthy Air and Smog Prevention); and 5 (Article XXIII) (Urban Forestry Council) of the San Francisco Administrative Code and by re-adopting these provisions with minor changes, including dissolving the inactive Clean Air Advisory Committee, and adding a Precautionary Principal Policy Statement as Chapter 1 of the Environment Code; and requesting the Planning Commission to initiate amendments to the General Plan to incorporate the Precautionary Principle. (Mayor)
3/18/03, ASSIGNED UNDER 30 DAY RULE to Land Use Committee, expires on 4/17/2003.

030424 **[Establishing parking violation and late payment penalties]**
Supervisor Budget Committee

Ordinance amending the San Francisco Traffic Code by amending Sections 130 and 131 and adding Section 132 to establish fines for parking violations and late payment penalties. (Budget Committee)
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030423 **[Establishing the powers and duties of the Small Business Commission]**
Supervisor Daly

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(Companion measure to File 030426.)
3/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/17/2003.

030472 **[Abolishing the Taxi Commission and transferring its powers and duties to the Municipal Transportation Agency]**
Supervisor Newsom

Ordinance amending the San Francisco Police Code by adding Section 1075.5, to abolish the Taxi Commission pursuant to Charter Section 8A.101(e) and transfer the Commission's powers and duties to the Municipal Transportation Agency.
3/18/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 4/17/2003.

Resolutions

030468 **[Youth Soccer]**
Supervisor Newsom

Resolution urging the Recreation and Park Department, while re-evaluating current practices and policies, to determine the most efficient use of its park space for athletic programs to allow for public usage of the Marina Green for youth to practice soccer.
3/18/03, RECEIVED AND ASSIGNED to City Services Committee.

030417 **[Hunters Point Shipyard Development Authority]**
Supervisors Maxwell, Dufty, Newsom

Resolution urging the California Legislature to enact the Hunters Point Shipyard Development Authority Act of 2003.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030425 **[Gideon 40th Anniversary]**
Supervisor Gonzalez

Resolution establishing March 18, 2003 as Gideon Day in commemoration of the 40th anniversary of the decision mandating the right to counsel for all regardless of income.
3/18/03, ADOPTED.

030427 **[COMPSTAT Work Groups]**
Supervisors Newsom, Dufty

Resolution urging the San Francisco Police Department, in collaboration with other criminal justice system departments, to create a series of work groups to research and make recommendations on how a COMPSTAT strategy will be implemented in the City and County of San Francisco.
3/18/03, RECEIVED AND ASSIGNED to City Services Committee.

030434 **[Commend Senior Survival School's 10th Anniversary]**
Supervisors Ma, Dufty, Daly, Newsom

Resolution commending Senior Survival School on the occasion of its 10th Anniversary.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030435 **[Extend Planning Commission Review Period]**
Supervisor Maxwell

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1 (bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street) from M-1 (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th Street and Rhode Island Grocery Store Special Use Subdistrict and a companion ordinance to amend the Planning Code by adding Section 781.10 to create the 17th and Rhode Island Grocery Store Special Use Subdistrict.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030436 **[Proclaim March 2003 Social Worker Month in SF]**
Supervisors Maxwell, Dufty, Daly, Ma

Resolution commending the recognition of National Professional Social Worker Month and proclaiming March 2003 as Social Worker Month in San Francisco.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030437 **[Endorsing H.R. 40, African-American Reparations Act]**
Supervisors Maxwell, Dufty, Ammiano, Gonzalez, Sandoval, Peskin, Ma, Daly

Resolution endorsing House of Representatives Resolution 40 (H.R.), Congressman John Conyer's African-American Reparations Act.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030438 **[Assembly Bill 196]**
Supervisors Dufty, Daly

Resolution urging passage of AB 196.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030439 **[Extend Juvenile Justice Advisory Committee]**
Supervisors Gonzalez, Dufty

Resolution extending the Juvenile Justice Advisory Committee's term of operation for an additional three months.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030440 **[Proposition N Implementation Plans]**
Supervisors McGoldrick, Newsom

Motion directing the Office of Budget Analyst of the Board of Supervisors to anlyze information submitted by the Director of Human Services and/or the Mayor's Office related to plans for implementation of Proposition N, enacted by the voters in November 2002, by July 1, 2003.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030441 **[Commend Laborers' International Union of North America]**
Supervisors Sandoval, McGoldrick, Daly, Dufty, Newsom

Resolution commending the Laborers' International Union of North America (LIUNA) for celebrating 100 years of bringing social justice to the American worker.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030442 **[Commend PUC and OMI/Excelsior Beacon Center]**
Supervisor Sandoval

Resolution commending the Public Utilities Commission and the OMI/Excelsior Beacon Center for helping San Francisco residents reduce their water bills by selling high quality, 1.6 Gallons Per Flush Toilets for only $10 on Saturday, April 5 from 8:00 a.m. to 1 p.m. at the Crocker-Amazon Park, Moscow and Geneva.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030444 **[Urge FCC Commissioners to attend a public hearing in SF in April 2003]**
Supervisor Sandoval

Resolution urging the Commissioners of the Federal Communication Commission and Congress members from the Bay Area to attend a public hearing in San Francisco this spring to gather public input on the upcoming changes in rules regarding media ownership by large corporations.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030443 **[Senate Bill 333 - Elder Justice Act]**
Supervisors Sandoval, Daly

Resolution urging the 108th Congress to pass SB 333: Elder Justice Act to provide coordination of differing federal, state, and local elder abuse programs to better protect and serve our seniors.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030365 **[Funding Levels for Department of Aging and Adult Services]**
Supervisors Newsom, Dufty, Ma, Daly

Resolution urging the Mayor to maintain funding levels for services for older adults and adults with disabilities served by and through the Department of Aging and Adult Services.
3/4/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.
3/18/03, REFERRED to Budget Committee. Supervisor Hall requested that this matter be referred to Committee.

Requests For Hearing

030418 **[Supervisors/Clerk of the Board's FY 2003-04 Budget.]**
Hearing to consider the Board of Supervisors/Clerk of the Board's fiscal year 2003-04 Budget. (Clerk of the Board)
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030445 **[Equal Access to Services]**
Supervisor Daly

Hearing to review the implementation of the Equal Access to Service Ordinance that requires translated materials at City departments and associated costs.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030446 **[Fees]**
Supervisor Daly

Hearing to discuss the fees charged for City services and permits, to consider the percentage of cost recovery in our fee structures and to discuss proposed fee increases across departments.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030447 **[District Based Budgeting]**
Supervisor Daly

Hearing to analyze the City's budget in terms of the supervisorial districts, and to discuss proposals to move toward district based budgeting.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030448 **[Fines]**
Supervisor Daly

Hearing to discuss fines in the City and County of San Francisco and consider fine schedules for various infractions and efforts to successfully collect fines. Also, to evaluate the fine structure for issues such as dumping, traffic violations and building code violations.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030449 **[Hospital Financing]**
Supervisor Daly

Hearing to evaluate hospital financing in the City and County of San Francisco, and to consider state and federal reimbursement formula at Laguna Honda Hospital and San Francisco General Hospital.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030450 **[Information Technology]**
Supervisor Daly

Hearing to consider City funding policies for information technology and discuss the benefits and risks of centralization. Also, to explore efforts to expand online payment services.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030451 **[Leases of City Office Space]**
Supervisor Daly

Hearing to evaluate the financials of city office space leases, discuss the terms and conditions of these leases and efforts to renegotiate them. Also, to assess the City's long term plans for office space.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030452 **[Mission Driven Budgeting]**
Supervisor Daly

Hearing to discuss the missions of City departments and the success of these departments in meeting Charter requirements of budgeting based on departmental mission statements.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030453 **[Nonprofit Contracting]**
Supervisor Daly

Hearing to explore departmental contracts with nonprofit organizations, and to discuss issues such as cost of living adjustments, reporting requirements, contract management, and requests for proposals.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030454 **[Overtime]**
Supervisor Daly

Hearing to review overtime levels at City departments and strategies to reduce excessive overtime.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030455 **[Performance Measures]**
Supervisor Daly

Hearing to consider performance measures developed by the Controller and required by the City's Performance Review Ordinance, and discuss budgetary solutions to improve departmental performance.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030456 **[Public Safety Cost Savings]**
Supervisor Daly

Hearing to review opportunities to consolidate certain public safety functions.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030457 **[Redevelopment]**
Supervisor Daly

Hearing to discuss redevelopment efforts in the City and County of San Francisco and evaluate state law provisions regarding redevelopment areas.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030458 **[Special Assistants]**
Supervisor Daly

Hearing to examine the role special assistants play in City government, and to review previous efforts of the Board of Supervisors to reclassify special assistants.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030459 **[Special/Dedicated Funds]**
Supervisor Daly

Hearing to discuss the City's special and dedicated funds, explore spending priorities in the Open Space and Children's Funds, and consider other special funds established in the Administrative Code.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030460 **[State and Federal Grants]**
Supervisor Daly

Hearing to discuss the role of state and federal grants in the City budget, explore issues related to grant funded positions, changes in state and federal funding, and local match requirements.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030461 **[Surplus City Property]**
Supervisor Daly

Hearing to discuss plans to sell surplus City property to balance the City's budget, and review implementation of the surplus City property ordinance.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030462 **[Travel and Training]**
Supervisor Daly

Hearing to review travel and training budgets across departments, determine how much travel and training is essential and review reimbursement policies for travel and training.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030463 **[Tax Collection]**
Supervisor Daly

Hearing to review tax collection protocols and delinquent business taxes, discuss new collection techniques and strategies to reduce our delinquent tax burden.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030464 **[Workers Compensation]**
Supervisor Daly

Hearing to review the City's policies on workers compensation and its fiscal impact.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030465 **[Day Labor Contract Request for Proposals]**
Supervisor Ammiano

Hearing on the Day Labor Contract Request for Proposals (RFP) process.
3/18/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030466 **[Police Department]**
Supervisors Ammiano, McGoldrick

Hearing to consider reports from the Acting Chief of Police, the Office of Citizen Complaints, the Controller and the City Attorney regarding investigative and disciplinary procedures in cases of officer-wrong doing, options to increase accountability and improve compliance with existing regulations and related legal issues; responses to such reports; and related proposals for Police Department reform.
3/18/03, RECEIVED AND ASSIGNED to Rules Committee.

030470 **[Sutro Tower Retrofit]**
Supervisor Hall

Hearing to consider the Sutro Tower retrofit.
3/18/03, RECEIVED AND ASSIGNED to Land Use Committee.

030428 **[Police Department Investigative Procedures]**
Supervisors Newsom, Dufty

Hearing to consider the Legislative Analyst Report on Police Department Investigative Procedures (File 020869) to discern the comparison of policies, best practices and procedures of the top performing homicide divisions of large city Police Departments nationwide. This hearing will examine various technology information systems to determine which model properly fits the City's needs; to examine the prospects of instituting formal training of newly appointed investigators and performance evaluation procedures of investigators; and to consider ways of establishing a compatible system of linking pertinent data bank systems.
3/18/03, RECEIVED AND ASSIGNED to City Services Committee.

030429 **[Assessment Appeals]**
Supervisor Daly

Hearing to discuss the number of appeals filed to assessments in the City and County of San Francisco, to determine the fiscal impact of these appeals, and to evaluate the capacity of the Assessor and Assessment Appeals Board to respond.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030431 **[City Attorney/Legal Services]**
Supervisor Daly

Hearing to explore the relationship of the City Attorney to City departments in providing legal services, and to review attorney positions in other City departments.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030433 **[Customer Service]**
Supervisor Daly

Hearing to discuss the requirement that departments have customer service plans, and review how budget decisions impact customer service levels.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030432 **[Civic Spaces]**
Supervisor Daly

Hearing to discuss and review maintenance policies of civic spaces, such as Union Square, United Nations Plaza and Civic Center Plaza. Also, to discuss funding levels for maintenance of these civic spaces.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

030430 **[Audit Implementation]**
Supervisor Daly

Hearing to review audits issued by the Controller and Budget Analyst and to assess audit implementation at the departmental level. Specifically, to review cost saving measures included in audits.
3/18/03, RECEIVED AND ASSIGNED to Budget Committee.

Motions

030467 **[San Francisco General Hospital]**
Supervisors Gonzalez, Ammiano

Hearing to review the Management Audit of the Financial Management and Operation Expenditure Controls and Practices of the San Francisco General Hospital prepared by the Budget Analyst.
3/18/03, RECEIVED AND ASSIGNED to Rules Committee.

030414 **[Needle Exchange Emergency]**
Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030421 **[Special Joint Meeting - Board of Supervisors and State Assemblyman Mark Leno]**
Supervisor Maxwell

Motion setting a joint meeting of the Board of Supervisors and State Assemblyman Mark Leno to be held in the Legislative Chamber at City Hall on May 9, 2003, from 1:00 P.M. to 3:00 P.M.
3/18/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030469 **[Closed Session - Existing Litigation - City as Plaintiff]**
Supervisor Dufty

Motion that the Board of Supervisors convene in closed session with the City Attorney and the Mayor for the purpose of conferring with, or receiving advice from, the City Attorney regarding the legal ramifications of mechanisms for funding the following litigation filed by the City and County of San Francisco. The litigation involves allegations of fraudulent practices on the part of City contractors involved in building the new international terminal at San Francisco International Airport.

City and County of San Francisco, et al. v. Tutor-Saliba Corporation, et al.
U.S. District Court No. C 02 5286 filed 11/1/02

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation listed above.
(Supervisor Dufty)
3/18/03, ASSIGNED to Board of Supervisors. Scheduled for Board consideration March 25, 2003.

Charter Amendments

020938 **[Charter Amendment - Retirement Benefits for Miscellaneous Safety Employees]**
Supervisors Ammiano, Gonzalez, Dufty, Hall, Newsom, Ma

Charter Amendment (Fifth Draft) to amend Appendix A8.506-2 thereto, relating to retirement benefits for miscellaneous safety employees.

6/10/03 Amended on page 1, after "of such contract" by adding New Paragraph "Contracts and contract amendments shall be cost-neutral and employee bargaining units shall be permitted to trade salary or other employee-paid benefits to achieve cost-neutrality. The Board of Supervisors or the Community College District is empowered to determine compliance under this section."
5/28/02, ASSIGNED UNDER 30 DAY RULE to Rules and Audits Committee, expires on 6/27/2002.

7/15/02, CONTINUED. Continued to July 22, 2002.

7/22/02, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

7/22/02, RE-REFERRED to Rules and Audits Committee.

10/21/02, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter amendment bearing same title.

10/21/02, ASSIGNED to Rules and Audits Committee.

1/13/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fourth Draft) bearing same title.

1/13/03, ASSIGNED to Rules and Audits Committee.

2/5/03, TRANSFERRED to Rules Committee. New committee structure 2/17/03.

3/18/03, SUBSTITUTED. Supervisor Ammiano submitted a substitute Charter Amendment (Fifth Draft) bearing same title.

3/18/03, ASSIGNED to Rules Committee. Sponsor requests this item be scheduled for consideration at the April 16, 2003 meeting.

030426 **[Charter Amendment - Creating a Small Business Commission]**
Supervisors Daly, Peskin

Charter amendment (First Draft) to amend the Charter by adding Section 4.134 to establish a Small Business Commission.
3/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/15/2003.

PROPOSED ORDINANCES

030322 **[Settlement of Lawsuit - Maxuman Lamar Chenier]**
Ordinance authorizing settlement of the lawsuit filed by Maxuman Lamar Chenier against the City and County of San Francisco for $237,500; the lawsuit was filed on August 14, 2000 in San Francisco Superior Court, Case No. 314357; entitled Maxuman Lamar Chenier v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)
2/25/03, RECEIVED AND ASSIGNED to Rules Committee.

030323 **[Settlement of Lawsuit - Stephen Sofos]**

Ordinance authorizing settlement of the lawsuit filed by Stephen Sofos against the City and County of San Francisco for $55,000; the lawsuit was filed on December 20, 2001 in San Francisco Superior Court, Case No. C-01-402658 entitled Stephen Sofos v. City and County of San Francisco, Terry Webster, James Sandridge, Jimmy Parrish, Horace Landers, Juvenal Villareal, et al. (City Attorney)

(Public Benefit Recipient.)

2/25/03, RECEIVED AND ASSIGNED to Rules Committee.

030341 **[Settlement of Lawsuit]**

Ordinance approving settlement of litigation of City and County of San Francisco against Nishkian & Associates for $85,000. (City Attorney)

(Public Benefit Recipient.)

2/28/03, RECEIVED AND ASSIGNED to Rules Committee. Department requests this item be calendared as soon as possible.

030343 **[Settlement of Lawsuit - SamTrans/Tanforan]**

Supervisor Gonzalez

Ordinance approving settlement of litigation of San Mateo County Transit District against City and County of San Francisco for total value of $2,544,500. (City Attorney)

(No Public Benefit Recipient.)

3/3/03, RECEIVED AND ASSIGNED to Rules Committee.

030392 **[Settlement of Legal Proceeding on Underground Construction Co., Inc. and Qwest Communications Corporation]**

Ordinance authorizing settlement of administrative penalties conditionally imposed by the Department of Public Works on Underground Construction Co., Inc. and Qwest Communications Corporation. (City Attorney)

(Public Benefit Recipient.)

3/10/03, RECEIVED AND ASSIGNED to Rules Committee.

030393 **[Settlement of Lawsuit - Huey, et al. v. CCSF, et al.]**

Ordinance authorizing settlement of the lawsuit filed by seven plaintiffs, in a lawsuit known as Huey, et al. against the City and County of San Francisco for $250,000 as follows: $87,500 in back overtime wages, $87,500 in liquidated damages and $75,000 in attorney's fees and costs; the lawsuit was filed on July 9, 2001 in the United States District Court, Case No. C01-4337 SBA; entitled Huey, et al., v. City and County of San Francisco, et al. (City Attorney)

(Public Benefit Recipient.)

3/10/03, RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

030293 **[Medi-Cal coverage for a pregnancy test and outpatient prenatal care]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a new grant in the amount of $25,000 from the March of Dimes to inform low-income women about Medi-Cal coverage for pregnancy testing and outpatient prenatal care and to enter into an agreement which includes an indemnification clause for the use of these funds; for the period of January 1, 2003 through December 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)
2/28/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.

030294 **[Monitor quality of beach water and notify public of potential risks]**
Supervisor Dufty

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept retroactively and expend a grant in the amount of $50,548 from the U. S. Environmental Protection Agency (USEPA) through the California Department of Health Services (CDHS) to screen beach water quality and notify the public of potential health risks and to enter into an agreement for the use of these funds; for the period of November 1, 2002 to September 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)
2/28/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.

030342 **[Accept and Expend Federal Grant Funds Under the Airport Improvement Program (AIP)]**
Resolution authorizing the Airport Commission to accept and expend grant funds in a total amount of $26,759,043 from the Federal Aviation Administration, and any subsequent amendments offered by the Federal Aviation Administration: $24,259,043 to be expended on standard Airport improvements (A.I.P 23, Project No. 3-06-0221-23); and $2,500,000 for Airport security improvements (A.I.P 24, Project No. 3-06-0221-24). (Airport Commission)

(Public Benefit Recipient.)
2/28/03, RECEIVED AND ASSIGNED to Finance and Audits Committee. Department requests this item be calendared as soon as possible.

030344 **[Settlement of Claim - Kristina Wuslich]**
Resolution approving the settlement of the unlitigated claim filed by Kristina Wuslich against the City and County of San Francisco for $250,000; claim was filed on June 14, 2002. (City Attorney)

(Public Benefit Recipient.)
3/4/03, RECEIVED AND ASSIGNED to Rules Committee.

030386 **[Accept-Expend State Grant - Police Department]**
Supervisor Dufty

Resolution authorizing the Chief of Police for the City and County of San Francisco to accept and expend grant funds made available through the California Department of Boating and Waterways to purchase a replacement patrol boat. (Police Department)

(No Public Benefit Recipient.)
3/6/03, RECEIVED AND ASSIGNED to City Services Committee.
Supervisor Dufty requested to be added as sponsor.

030387 **[Center for AIDS Prevention Studies]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $10,640 with The Regents of the University of California San Francisco (UCSF), the primary contractor, to provide primary scientific oversight of activities for projects in Africa of the Center for AIDS Prevention Studies, for the period of September 1, 2002, to August 31, 2003. (Public Health Department)

(No Public Benefit Recipient.)
3/7/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the April 3, 2003 meeting.
Supervisor Dufty requested to be added as sponsor.

030388 **[AIDS-related training package]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to enter retroactively into an agreement in the amount of $37,929 with The Regents of the University of California San Francisco (UCSF), the primary contractor to collaborate in developing, testing. evaluating, and refining an AIDS-related training package, for the period of July 1, 2002, to June 30, 2003. (Public Health Department)

(No Public Benefit Recipient.)
3/7/03, RECEIVED AND ASSIGNED to City Services Committee. Department requests this item be scheduled for consideration at the April 3, 2003 meeting.
Supervisor Dufty requested to be added as sponsor.

030389 **[Agreement to sell former Central Freeway parcel]**
Resolution approving and authorizing an agreement for the sale at fair market value of certain real property formerly occupied by the Central Freeway; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's general plan and eight priority policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents and take certain actions in furtherance of this resolution. (Real Estate Department)

(Public Benefit Recipient.)
3/7/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030391 **[Airport Concession Lease]**

Resolution approving Amendment No. 1 to the Luggage Cart Lease and Operating Agreement between Smarte Carte, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

(Public Benefit Recipient.)

3/7/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030394 **[Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Sandoval

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $440,984 from the Bay Area Air Quality Management District for retrofitting six heavy-duty vehicles to Liquid Natural Gas. (Environment)

(Public Benefit Recipient.)

3/11/03, RECEIVED AND ASSIGNED to Land Use Committee. Department requests this item be scheduled for consideration as soon as possible.
The Chair intends to entertain a motion to send this item to Board as a Committee Report for consideration on 3/25/03.

Requests Granted

From: Supervisor Sandoval
To: Department of Parking and Traffic
Requesting/Inquiring: Inquiring about the feasibility of installing stop signs to stop traffic on San Jose at Niagara to allow drivers safe access from Niagara onto San Jose and to allow drivers to safely turn into the Balboa Park BART Station at San Jose and Niagara to drop off or pick up BART passengers.

From: Supervisors Newsom and Dufty
To: Police Department
Requesting/Inquiring: Inquiring in the COMPSTAT model, specifically:
Is COMPSTAT compatible with the SFPD's approach to community policing?
How can we best obtain the needed information on which to base decisions concerning the adoption of a COMPSTAT based program? Interview, site visits, appointment of a work group, literature review?
How can we ascertain the actual results of other agencies using COMPSTAT?
What, if any, is the downside of embracing such a model?
How many and what kinds of additional personnel would be needed for such a program?
What kind of training would need to be offered to personnel and who would provide it?
What role, would DTIS, along with SFPD's Management Information Systems Unit (MIS), play in the migration to a COMPSTAT model?
How, if at all, can the SFPD ensure that this program will be fully adopted and implemented?
Can the COMPSTAT software be incorporated into the existing hardware?
Could the SFPD produce COMPSTAT-like reports using the existing IT architecture?
Where would the COMPSTAT control center be located?

From: Supervisor Newsom
To: Office of the District Attorney
San Francisco Superior Court
San Francisco Police Department
Sheriff's Department
Emergency Communications Department
Department of Telecommunications and Information Services
Adult Probation Department
Requesting/Inquiring: To report an update on their participation on the Justice Information System (JUSTIS) project.

From: Supervisors Maxwell and Dufty
To: City Attorney
Requesting/Inquiring: To draft legislation to expand the Municipal code to require distributors of hazardous electronic devices to take responsibility for hazardous electric scrap.

From: Supervisor McGoldrick
To: Director of Human Services
Office of the Mayor
Mayor's Budget Director
Requesting/Inquiring: To explain in specific detail and in writing how the Department of Human Services will implement the mandates of Proposition N, in order to meet the deadline of July 1, 2003, as specified in the initiative.

This report should detail, among other things:
Any new and existing programs designated by any City department as implementing the provisions of the initiative;
Policies adopted or under consideration by any department to assist in the implementation of the initiative;

Current projected cost savings or increases associated with plans for implementation;
Any projected increases or decreases in resources currently going to other City programs that will result from implementation proposals under consideration;
Revenues and expenditures budgeted in the 2003-04 Mayor's budget for implementation of these programs;
Any collateral effects of implementation proposals on other populations served by the City;
Projected numbers of persons who will be affected by proposed changes in policies with an explanation of such effects;
A detailed timetable for full implementation of each of the initiative's provisions;
Explanation of any phasing of implementation with specific target dates for each phase, the number of homeless individuals served in each phase and how they will be served;
To the extent hotel rooms are contemplated as a part of the implementation of housing service requirements, the number of hotel rooms that will be available at each stage of implementation; the specific number of homeless persons that will be accommodated; the dates such rooms will come on line; the specific hotels, addresses, owners, number of rooms available, and copies of the contracts (agreements) signed with hotel owners; the number of vacancies currently existing in such hotels; the number of rooms under new Master Lease programs with the City that will actually be used to serve CAAP recipients; other non-CAAP populations that will be offered housing under new Master Lease programs contemplated by DHS;
To the extent that shelter beds will be used to implement the housing service requirements of the initiative, the actual shelters that will be used for such services; the number of shelter beds currently available on average in those shelters; the number of homeless individuals who are turned away on average at those shelters; projected numbers of homeless individuals that will be turned away from shelters at each stage of implementation of Proposition N; the relative costs of using such shelters in comparison with using hotel rooms to provide housing services; the number of homeless individuals currently in CAAP programs using shelters without deduction from their assistance checks who will be required to pay for such shelter from their checks as a result of implementation plans, together with the total amount of money that would be generated for DHS's budget from such deductions;
Any services other than housing that are contemplated as a part of the implementation of Proposition N, including the cost of such services, the agencies that will provide such services, the specific locations where such services will be provided, and all contracts that have been signed for the delivery of such services.

Please provide the information requested above to the Clerk of the Board of Supervisors by April 9, 2003 with copies to Supervisor McGoldrick and the Budget Analyst of the Board of Supervisors.

The Budget Analyst, in accordance with a separate motion of the Board of Supervisors, will provide an analysis of the information submitted by Mr. Rohrer, the Director of Human Services, and/or the Mayor's Office.

From: Supervisors Ammiano and McGoldrick
To: Acting Director, OCC Jean Field
Requesting/Inquiring: To report by April 18, 2003 regarding patterns of withholding of information requested by the OCC pursuant to OCC investigations of complaints against officers.

From: Supervisors Ammiano and McGoldrick
To: Controller
Requesting/Inquiring: To report by April 18, 2003 reviewing best practices for internal investigations and civilian review in other jurisdictions, including recent reforms enacted in Oakland and Los Angeles, as well as reforms proposed by the ACLU.

From: Supervisors Ammiano and McGoldrick
To: City Attorney, Dennis Herrera
Requesting/Inquiring: To report by April 18, 2003 with (1) a summary of the current legal process for investigating allegations of wrong-doing by officers, including the mechanisms for enforcing findings by the OCC and (2) a description of risk management efforts of the City Attorney's Office in the context of litigation against the City to identify and correct problem patterns of behavior within the department.

From: Supervisors Ammiano, McGoldrick
To: Acting Chief of Police, Alex Fagan, Sr.
Requesting/Inquiring: To report by April 18, 2003 on the following:
An explanation of current Department procedures to investigate office wrongdoing, including internal review, timelines for investigation, recommendations by the Chief of Police, Commission process, and current or proposed processes for third-party review in cases of real or perceived conflict of interest;
Review of early warning procedures and immediate investigation triggers suggested by the ACLU and a response to the Board of Supervisors; and
A report on the nature and types of discipline administered by the Chief of Police and the number of Management Control Division and OCC cases pending discipline.

In Memoriams

Betty Garvey (Supervisors Newsom, Hall, Dufty)
Dennis Baker (Supervisor Gonzalez)
Cesar Lara (Supervisor Gonzalez)
Leo F. Delventhal (Supervisor Hall)
Harrison Liam Low (Supervisor Ma)
Eufemio "Pepe" Caceres (Supervisor Sandoval)
William J. Graham (Supervisor Sandoval)

ADJOURNMENT

There being no further business, the Board at the hour of 5:03 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 8, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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MEETING MINUTES

Tuesday, March 25, 2003 2:00 PM

Legislative Chamber - Second Floor
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

MATT GONZALEZ, PRESIDENT
TOM AMMIANO, CHRIS DALY, BEVAN DUFTY, TONY HALL,
FIONA MA, SOPHIE MAXWELL, JAKE McGOLDRICK,
GAVIN NEWSOM, AARON PESKIN, GERARDO SANDOVAL
Gloria L. Young, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget Committee Supervisors Daly, Peskin, Maxwell, Ma, Gonzalez	Thursday 1:00 PM
City and School District Select Committee Chair Maxwell, Supervisor Ammiano, Supervisor Ma, Commissioner Cruz, Commissioner Sanchez	2nd Monday, bi-monthly 4:00 PM
City Services Committee Supervisors Dufty, Ma, Newsom	Thursday 9:30 AM
Finance and Audits Committee Supervisors Peskin, Sandoval, McGoldrick	Wednesday 12:30 PM
Land Use Committee Supervisors McGoldrick, Maxwell, Ammiano	Monday 1:00 p.m.
Rules Committee Supervisors Hall, Dufty, Gonzalez	Wednesday 9:30 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair, of the Committee.

Members Present: Tom Ammiano, Chris Daly, Bevan Dufty, Matt Gonzalez, Tony Hall, Fiona Ma, Sophie Maxwell, Jake McGoldrick, Gavin Newsom, Aaron Peskin, Gerardo Sandoval.

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:01p.m. On call of the roll, the following Supervisors were noted absent:

Supervisors Dufty, Ma, and Sandoval - 3

Quorum present.

Supervisors Dufty and Sandoval were noted present at 2:02 p.m.

Quorum present.

Supervisor Sandoval noted present at 2:02 p.m.

Privilege of the Floor

Supervisor Ammiano, seconded by Supervisor Newsom, moved to suspend Rule 4.28 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Supervisor Ammiano introduced, welcomed and presented a Certificate of to Honor Andrew Mandell "Mr. Diabetes" in recognition of Diabetes Day.

Supervisor Peskin introduced, welcomed and presented a Certificate of Honor to Dr. Takamoto, Department of Public Health physician in recognition of "World Tuberculosis Day".

Supervisor Newsom introduced, welcomed and presented Certificates of Honor to the members of the Convent of Sacred Heart Girls Basketball Team in recognition of winning the California State Division 5 Girls Basketball Championships.

Supervisor Hall extended congratulations to the members of the Sacred Heart Cathedral Preparatory Girls Basketball Team in recognition of their second place finish in the California State Division 3 Girls Basketball Championships.

CONSENT AGENDA

Recommendations of the Rules Committee

030249 **[Settlement of Lawsuit - Paul T. Hare]**

Ordinance authorizing settlement of the lawsuit filed by Paul T. Hare against the City and County of San Francisco for $125,000.00; the lawsuit was filed on January 28, 2002 in San Francisco Superior Court, Case No. 403-930; entitled Paul T. Hare v. City and County of San Francisco. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030323 **[Settlement of Lawsuit - Stephen Sofos]**

Ordinance authorizing settlement of the lawsuit filed by Stephen Sofos against the City and County of San Francisco for $55,000; the lawsuit was filed on December 20, 2001 in San Francisco Superior Court, Case No. C-01-402658 entitled Stephen Sofos v. City and County of San Francisco, Terry Webster, James Sandridge, Jimmy Parrish, Horace Landers, Juvenal Villareal, et al. (City Attorney)

(Public Benefit Recipient.)

PASSED, ON FIRST READING

030257 **[Appointment]**

Resolution appointing Larry Costello, Bonnie Fisher, Carolyn Blair, Milton Marks III, Michael Sullivan, Juan Carrasco, and Diana Cohen terms ending April 5, 2005 to the Urban Forestry Council.

Larry Costello, new appointment, seat 1, must be a representative of the University of California Cooperative Extension or a representative of another educational organization involved with tree management, for a two-year term ending April 5, 2005;
Bonnie Fisher, new appointment, seat 2, must be a representative of the tree management profession, for a two-year term ending April 5, 2005;
Carolyn Blair, new appointment, seat 3, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2005;
Milton Marks III, new appointment, seat 4, must be a representative of non-profit organizations involved in urban forestry or other environmentally-related issues, for a two-year term ending April 5, 2005;
Michael Sullivan, new appointment, seat 6, must be a representative of the community, for a two-year term ending April 5, 2005;
Juan Carrasco, new appointment, seat 7, must be a representative of the community, for a two-year term ending April 5, 2005;
Diana Cohen, new appointment, seat 8, must be a representative of the community, for a two-year term ending April 5, 2005.

Resolution No. 194-03
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

REGULAR AGENDA

UNFINISHED BUSINESS

Vetoed by the Mayor

030132 **[Funding for the investigation and litigation against Tutor-Saliba Construction]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, McGoldrick, Maxwell

Ordinance appropriating, retroactive to July 1, 2002, $2,500,000 of Airport fund balance for investigation and litigation expense by the City Attorney against Tutor-Saliba Construction for fiscal year 2002-03.

(Fiscal impact.)

Ordinance No. 35-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

From the Clerk

(Only one of the following two motions should be adopted.)

030254 **[Appeal, Conditional Use - 1193 Oak Street]**
Motion approving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to April 1, 2003
Supervisor Newsom, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

030255 **[Appeal, Conditional Use - 1193 Oak Street]**
Motion disapproving decision of the Planning Commission by its Motion No. 16504, approving Conditional Use Application No. 2002.1007C, on property located at 1193 Oak Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Continued to April 1, 2003
Supervisor Newsom, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

030256 **[Findings - 1193 Oak Street]**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.1007C, on property located at 1193 Oak Street, for action by the Board at its next meeting. (Clerk of the Board)

Continued to April 1, 2003

Supervisor Newsom, seconded by Supervisor Daly, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

Recommendation of the Budget Committee

030095 **[Recreation and Parks -- Fees]**
Mayor

Ordinance making environmental findings and amending the San Francisco Park Code by amending Sections 7.16 and 7.18 to require a cleaning deposit and reimbursement for costs for the use of park facilities; amending Sections 12.05, 12.07, 12.20, and adding Sections 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27 to increase the fees charged for the use of Recreation and Park facilities for weddings, events, picnics, photography and filming, encroachment, for parking on the Golden Gate Park Concourse and for classes at the Sharon Arts Studio; and adding Section 12.28 authorizing the Recreation and Park Commission to develop policies and procedures to allow the General Manager to reduce or waive fees in the case of demonstrated financial hardship. (Mayor)

Ordinance No. 47-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 1 - McGoldrick

Recommendations of the Finance and Audits Committee

021997 **[Authorizing the transfer of Institutional Police from the Department of Public Health to the Sheriff]**
Supervisors Peskin, Dufty, Ma, Newsom, Gonzalez, Maxwell

Ordinance amending the Administrative Code by adding a new Section 1.59 to authorize the transfer of the Institutional Police Department from the Department of Public Health to the Sheriff.

(Fiscal impact.)

Ordinance No. 45-03

FINALLY PASSED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Hall

030224 **[Appropriation - Assessor-Recorder's Office]**
Supervisors Dufty, Gonzalez, Daly

Ordinance appropriating $349,671 in surplus recording fees and re-appropriating $194,128 in equipment, materials and supplies and professional services for a total of $543,799 to cover shortfalls in salaries and services of other departments and for temporary salaries and fringes to address the backlog of deed processing, appraisals, permits, appeals in the Assessor-Recorder's Office for fiscal year 2002-03, placing $40,790 on reserve by the Finance and Audit Committee.

(Fiscal impact; No Public Benefit Recipient.)

Supervisor Daly requested to be added as a co-sponsor.

Ordinance No. 42-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

021772 **[Conditional Use Revocation]**
Supervisors Gonzalez, Dufty, Hall, Peskin, Ma, McGoldrick, Daly

Ordinance amending the San Francisco Planning Code by amending Section 303 to provide for the revocation of a conditional use authorization upon a finding that the applicant provided false information in obtaining the conditional use; adopting findings under Planning Code Section 302.

Supervisor Daly requested to be added as a co-sponsor.

Ordinance No. 43-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030081 **[Parking Regulations, Blanken Avenue]**
Supervisor Gonzalez

Ordinance deleting Section 28.5.5 of the San Francisco Traffic Code restricting certain vehicles over 6,000 pounds on Blanken Avenue between Bayshore Boulevard and Tunnel Avenue. (Parking and Traffic Department)

Ordinance No. 46-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030097 **[Designate the 1338 Filbert Street Cottages as a Landmark]**
Supervisors Peskin, Daly, Ammiano, Gonzalez, Sandoval, McGoldrick, Hall, Maxwell

Ordinance amending Planning Code Article 10 to designate the 1338 Filbert Street Cottages, Lots 31, 32, 33 and 34 in Assessor's Block 524, as Landmark No. 232.

Ordinance No. 53-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 1 - Newsom

030099 **[Extending annual condominium conversion limitation]**
Supervisors McGoldrick, Hall

Ordinance amending the San Francisco Subdivision Code Article 9, Section 1396 to extend the annual condominium conversion limitation for two additional years and providing for the conversion of specified buildings where a property owner submitted a subdivision application on or before January 21, 2003.

2/4/03 in Board: Supervisor McGoldrick submitted a substitute ordinance bearing new title.

Ordinance No. 48-03
FINALLY PASSED by the following vote:
Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Daly

030155 **[1250 Haight Street - Special Use District to create Haight Street Senior Affordable Housing]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the San Francisco Planning Code by adding Section 249.23 to create a Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Companion measure to Files 030155, 030156, 030157, 030158; Planning Resolution Nos. 16500 and 16501 adopting all four proposed Planning Code and Zoning Map amendments (Reclassification Application No. 2002.0451CTZ on December 19, 2002; Motion No. 16502 approving Conditional Use Application No. 2002.0451CTZ on December 19, 2002; Certificate of Determination/Exclusion from CEQA Environmental Review dated September 10, 2002; No Public Benefit Recipient.)
(2/18/03 in Board: Supervisor Gonzalez submitted a substitute ordinance bearing same title.)

Supervisors Daly and Ma requested to be added as co-sponsors.
Ordinance No. 49-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030156 **[1250 Haight Street - Special Use District to create Special Height Exception for the Haight Street Senior Affordable Housing]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the San Francisco Planning Code by adding Section 263.16 to create a special height control for the Haight Street Senior Affordable Housing Special Use District of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

Supervisors Daly and Ma requested to be added as co-sponsors.

Ordinance No. 50-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030157 **[1250 Haight Street - Zoning Map Change from RM-1 to RM-1 and Haight Street Senior Affordable Housing SUD]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property use classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from an RM-1 (Residential, Mixed, Low Density) District to an RM-1 (Residential, Mixed, Low Density) District and the Haight Street Senior Affordable Housing Special Use District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

Supervisors Daly and Ma requested to be added as co-sponsors.

Ordinance No. 51-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030158 **[1250 Haight Street - Zoning Map Change from 40-X to 40-X and 60-X Height and Bulk District]**
Supervisors Gonzalez, Daly, Ma

Ordinance amending the Zoning Map of the City and County of San Francisco for change in property height classification of a property described as Assessor's Block 1234, Lots 11 and 14, located at 1250 Haight Street, on the north side, between Lyon Street and Central Avenue, from 40-X Height and Bulk District to 60-X Height and Bulk District; and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

Supervisors Daly and Ma requested to be added as co-sponsors.

Ordinance No. 52-03

FINALLY PASSED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Rules Committee

021996 **[Voter Information Pamphlet Amendments]**
Supervisor Gonzalez

Ordinance amending sections 500, 530 and 550 of the San Francisco Municipal Elections Code to require the Director of Elections to publish in the Voter Information Pamphlet: (1) a description of every elector's right to seek a writ of mandate or an injunction requiring any or all of the materials in the Voter Information Pamphlet to be amended or deleted, and (2) a disclaimer at the beginning of each ballot measure argument and rebuttal authorized by the Board of Supervisors explaining which members of the Board of Supervisors endorse, oppose or have taken no position on the measure; and to clarify that when the Board of Supervisors authorizes a member or members of that body to submit a ballot measure argument or rebuttal, it shall do so by motion, and it need not take any further action, including voting on or otherwise approving the actual text of the argument or rebuttal.

Ordinance No. 44-03
FINALLY PASSED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Appointment of President Pro Tempore

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

030188 **[Confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency]**
Mayor

Resolution confirming the re-appointment of Benny Yee to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006. (Mayor)

Supervisor Daly, seconded by Supervisor Peskin, moved to re-refer this matter to Rules Committee.
Motion failed by the following vote:
Ayes: 4 - Ammiano, Daly, McGoldrick, Peskin
Noes: 7 - Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Sandoval

Resolution No. 175-03
ADOPTED by the following vote:
Ayes: 6 - Dufty, Hall, Ma, Maxwell, Newsom, Sandoval
Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin

030190 **[Confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency]**
Mayor

Resolution confirming the re-appointment of Leroy King to the San Francisco Redevelopment Agency for a four-year term ending September 3, 2006. (Mayor)

Supervisor Daly withdrew his motion to re-refer this matter to the Rules Committee.

Resolution No. 176-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 1 - Daly

030191 **[Confirming the re-appointment of Michael Hardeman to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Michael Hardeman to the San Francisco Port Commission for a four-year term ending May 1, 2006. (Mayor)

Supervisor Peskin, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

RE-REFERRED to the Rules Committee by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 5 - Dufty, Hall, Ma, Newsom, Sandoval

From the Rules Committee "Without Recommendation"

Appointment of President Pro Tempore

Appointment of President Pro Tempore

At the request of the President, Supervisor Peskin assumed the Chair so the President could participate in the debate from the floor concerning the following item.

The President resumed the Chair shortly thereafter.

030189 **[Confirming the appointment of Ben Hom to the San Francisco Port Commission]**
Mayor

Resolution confirming the appointment of Ben Hom to the San Francisco Port Commission, for a four-year term ending May 1, 2006. (Mayor)

(Supervisor Hall excused from voting.)

Supervisor Hall previously excused from voting on this matter.

Supervisor Peskin, seconded by Supervisor Ammiano, moved to re-refer this matter to the Rules Committee.

RE-REFERRED to the Rules Committee by the following vote:

Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin
Noes: 4 - Dufty, Ma, Newsom, Sandoval
Excused: 1 - Hall

NEW BUSINESS

Recommendations of the Finance and Audits Committee

030301 **[Clerical Corrections to Article 10a of the Bus. & Tax Reg. Code]**
Supervisor Peskin

Ordinance amending Article 10a of the San Francisco Business and Tax Regulations Code by making clerical corrections to Sections 750, 751, 753 and 755.1 and amending Section 10.100-67 of the San Francisco Administrative Code by making clerical corrections to omit text intended to be deleted by Ordinance Number 71-02.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030251 **[Settlement Prior to Binding Arbitration]**
Ordinance authorizing settlement of a dispute prior to binding arbitration under Section 23 of the Long-Term Power Sales Agreement with Turlock Irrigation District over San Francisco's right to restrict Turlock's ability to schedule monthly capacity factors; Turlock initiated the Section 23 dispute procedure by written notice dated October 10, 2002. (City Attorney)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030267 **[Funding for emergency removal and repair of Drydock #1]**
Supervisor Peskin

Ordinance re-appropriating $1,762,549 of Port surplus capital funding from projects that have been completed, funded by a grant source, or that are low priority to fund contractual obligations for emergency removal and repair of Drydock #1 for the Port or fiscal year 2002-03, allowing for retroactivity.

(Fiscal impact.)

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021876 **[Real Property Lease Option]**
Resolution retroactively authorizing the exercise of an extension option at 875 Stevenson Street for various City departments. (Real Estate Department)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 174-03
ADOPTED by the following vote:
Ayes: 8 - Ammiano, Dufty, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Daly, Gonzalez, Ma

030243 **[Ratify Port Emergency Repair Contract]**

Resolution ratifying San Francisco Port Commission emergency contract for recovery and repair of marine vessel known as Drydock #1. (Port)

(Fiscal impact; No Public Benefit Recipient.)

Resolution No. 193-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030300 **[Certification to Accompany Application for State Grant for Richmond Library Expansion and Renovation]**

Mayor

Resolution certifying project budget, local funding, supplemental funding and public library operations pursuant to the California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000. (Mayor)

(No Public Benefit Recipient.)

Resolution No. 152-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030395 **[Mortgage Credit Certificates]**

Supervisors Peskin, Sandoval, Hall

Resolution authorizing an application to the California Debt Limit Allocation Committee to permit the issuance of Mortgage Credit Certificates.

Supervisor Hall requested to be added as a co-sponsor.

Resolution No. 177-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Land Use Committee

021885 **[Repealing Police Code Section 1159 - Sightseeing Vehicle Stands]**

Ordinance repealing Police Code Section 1159, which authorizes the Department of Parking and Traffic to issue to a single entity or person a permit for a sightseeing stand on Powell Street, for the purpose of selling tickets for sightseeing tours and providing sightseeing information. (Parking and Traffic Department)

(No Public Benefit Recipient.)

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

021912 **[Tour buses prohibited on portions of El Camino del Mar and 25th Avenue]**
Supervisor Newsom

Ordinance amending Police Code Section 1183.31 to prohibit the driving of tour buses on El Camino del Mar between the Presidio and 25th Avenue, and on 25th Avenue between Lake Street and El Camino del Mar.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030207 **[2161 Sutter Street - Zoning Map Change]**

Ordinance amending the San Francisco Planning Code by adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property described as Assessor's Block 0682, Lot 005, approximately 5,156 square feet in area, from an NC-2 (Small-Scale Neighborhood Commercial) District to an RM-3 (Residential, Mixed, Moderate Density) District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department)

(Planning Commission Resolution No. 16514 adopting the proposed Planning Code and Zoning Map amendments on January 23, 2003; Motion No. 16515 approving Conditional Use Application No. 2001.1058C on January 23, 2003; Final Mitigated Negative Declaration adopted and issued on July 12, 2002; No Public Benefit Recipient).

REFERRED to the Land Use Committee by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030082 **[Accept - Expend TFCA Regional Funds]**

Supervisor Newsom

Resolution authorizing the Municipal Transportation Agency to Accept and Expend $1,123,364 of Transportation Fund for Clean Air Regional Funds for the three Capital Improvement Projects: the Transit Bus Traffic Signal Prioritization; Transit Bus Replacement: 15 CNG or Hybrid Electric Vehicles; and Bicycle Racks - Installation of Bicycle Racks on 50 Vehicles. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

Supervisor Newsom requested to be added as sponsor.

Resolution No. 191-03

ADOPTED by the following vote:

Ayes: 10 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin
Noes: 1 - Sandoval

021884 **[Public Access Cable Television]**

Resolution renewing designation of the San Francisco Community Television Corporation (SFCTC) as the non-profit responsible for the management and operation of the City's public access cable television channel, Access San Francisco, coterminous with the public access grant awarded to SFCTC by the Department of Telecommunications and Information Services (DTIS) on October 28, 2002. (Telecommunications and Information Services)

(Public Benefit Recipient.)

Amended on page 1, line 7, after "October 28, 2002" by inserting "which expires on June 30, 2005. This designation shall terminate on July 1, 2005"; and further amended on page 2, line 22, after "October 28, 2002" by inserting "and which expires on June 30, 2005". This designation shall be effective only through June 30, 2005, and shall terminate on July 1, 2005."

Supervisor Peskin, seconded by Supervisor Daly, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Resolution renewing designation of the San Francisco Community Television Corporation (SFCTC) as the non-profit responsible for the management and operation of the City's public access cable television channel, Access San Francisco, coterminous with the public access grant awarded to SFCTC by the Department of Telecommunications and Information Services (DTIS) on October 28, 2002 which expires on June 30, 2005. This designation shall terminate on July 1, 2005. (Telecommunications and Information Services)

(Public Benefit Recipient.)

Resolution No. 182-03

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Recommendations of the Rules Committee

030075 **[Requiring regular meetings of subordinate bodies created by the Board of Supervisors]**
Supervisors Hall, Gonzalez

Motion amending the Board of Supervisors Rules of Order by adding Rule 2.27, to require the Board to include language providing for regular meetings when considering legislation creating subordinate bodies.

Motion No. M03-50

APPROVED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030041 **[Dissolving the Hazardous Materials Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Health Code by repealing Sections 1103 through 1103.2, and amending Section 1103.3, to dissolve the Hazardous Materials Advisory Committee.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030042 **[Dissolving the Skating Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Administrative Code by repealing Sections 5.210 through 5.212, to dissolve the Skating Advisory Committee.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030043 **[Dissolving the Clean Air Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Administrative Code by repealing Section 85.4 and by amending Section 85.10, to dissolve the Clean Air Advisory Committee.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030044 **[Dissolving the Video Display Terminal Advisory Committee]**
Supervisors Hall, Newsom

Ordinance amending the San Francisco Health Code by repealing Sections 1303 and 1306, to dissolve the Video Display Terminal Advisory Committee.

PASSED ON FIRST READING by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030049 **[Dissolving the Long Term Care Pilot Project Task Force]**
Supervisor Hall

Resolution repealing Resolutions No. 1024-96 and 187-97, to dissolve the "Long Term Care Pilot Project Task Force."

Resolution No. 183-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030050 **[Dissolving the Abandoned Shopping Cart Task Force]**
Supervisor Hall

Resolution repealing Resolutions Nos. 357-98 and 847-98, to dissolve the "Abandoned Shopping Cart Task Force."

Resolution No. 184-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030051 **[Dissolving the Sutro Tower Health and Safety Task Force]**
Supervisor Hall

Resolution repealing Resolution No. 1068-99, to dissolve the "Sutro Tower Health and Safety Task Force."

Resolution No. 185-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030052 **[Dissolving the Pedestrian Safety and Street Resurfacing Working Group]**
Supervisor Hall

Resolution repealing Resolution No. 564-01, to dissolve the "Pedestrian Safety and Street Resurfacing Working Group."

Resolution No. 186-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030053 **[Dissolving the Mid-Income Housing Solutions Task Force]**
Supervisor Hall

Resolution repealing Resolution No. 721-01, to dissolve the "Mid-Income Housing Solutions Task Force."

Resolution No. 187-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030054 **[Dissolving the Joint Board of Education/Board of Supervisors Digital Divide Task Force]**
Supervisor Hall

Resolution repealing Resolution No. 271-00, to dissolve the "Joint Board of Education/Board of Supervisors Digital Divide Task Force."

Resolution No. 188-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030056 **[Dissolving the Airport Noise Committee]**
Supervisor Hall

Resolution repealing Resolutions No. 580-87 and 62-89, to dissolve the "Airport Noise Committee."

Resolution No. 189-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030057 **[Dissolving the Citizens' Advisory Task Force for the Central Freeway]**
Supervisor Hall

Resolution repealing Resolutions Nos. 541-92, 1019-94 and 640-95, to dissolve the "Citizens' Advisory Task Force for the Central Freeway."

Resolution No. 190-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030150 **[Dissolve Sustainable Funding for School Arts and Music Task Force]**
Supervisor Hall

Resolution repealing Resolution Nos. 1127-99 and 175-00, to dissolve the "Sustainable Funding for School Arts and Music Task Force."

Resolution No. 192-03
ADOPTED by the following vote:
Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

SPECIAL ORDER 3:00 P.M.

030376 **[Public Hearing - Appeal, Negative Declaration for 40-50 Lansing Street]**

Hearing of persons interested in or objecting to the Planning Commission certification of Final Mitigated Negative Declaration, File No. 2002.0446E, for a proposed 81 unit Residential Building located at 40-50 Lansing Street (aka 35 Guy Street), Block 3749, Lot 11, in San Francisco. (Clerk of the Board)

(Appeal filed February 21, 2003; Publication of Preliminary Mitigated Negative Declaration: October 19, 2002; Amended Mitigated Negative Declaration: December 30, 2002; Final Mitigated Negative Declaration adopted and issued on February 20, 2003; Planning Commission Motion No. 16530 affirming the decision to issue a Mitigated Negative Declaration dated February 20, 2003; companion measure to Files 030373, 030374, 030375; General Public Hearing Notice mailed March 12, 2003; District 6.)

Continued to April 8, 2003

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Hearing be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Pursuant to Government Code Section 65009, notice is hereby given: If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described above, or in written correspondence delivered to the Board of Supervisors, (1 Dr. Carlton B. Goodlett Place, Room 244; San Francisco, CA 94102-4689) at, or prior to, the public hearing.

From the Clerk

(Only one of the following two motions should be adopted.)

030373 **[Affirming adoption of the negative declaration for 40-50 Lansing Street]**

Motion affirming the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 8, 2003

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030374 **[Reversing adoption of the negative declaration for 40-50 Lansing Street]**

Motion reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 8, 2003

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

030375 **[Preparation of findings to reverse adoption of the negative declaration for 40-50 Lansing Street]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission adoption of the negative declaration for 40-50 Lansing Street. (Clerk of the Board)

Continued to April 8, 2003

Supervisor Peskin, seconded by Supervisor McGoldrick, moved that this Motion be CONTINUED. The motion carried by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

COMMITTEE REPORTS

From Land Use Committee

030394 **[Accept-Expend Regional Grant - Department of the Environment]**
Supervisor Sandoval

Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of $440,984 from the Bay Area Air Quality Management District for retrofitting six heavy-duty vehicles to Liquid Natural Gas. (Environment)

(Public Benefit Recipient.)

Supervisor Sandoval requested to be added as sponsor.

Resolution No. 195-03

ADOPTED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

ROLL CALL FOR INTRODUCTIONS

Supervisor Daly noted absent at 5:45 p.m.

PUBLIC COMMENT

Abdullah Megahed; protesting War in Iraq
Richard Stipman; protesting War in Iraq
Richard Robertson; support of War in Iraq
Michael Orger; protesting War in Iraq; SFPD actions during demonstrations
Female Speaker; protesting War in Iraq
Karen Heisler; arrested in demonstrations and issues regarding civil liberties

Recess

The Board recessed at the hour of 6:12 p.m.

Reconvening of the Board

The Board at the hour of 7:19 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Dufty, Gonzalez, Ma, Maxwell, McGoldrick, Sandoval - 7

Quorum present.
Supervisor Hall was noted present at 7:39 p.m.
Supervisor Daly was noted present at 8:14 p.m.

Public Comment Continued

Male Speaker; protesting war and SFPD actions during demonstrations
Kevin; arrested in protesting war and police handling of demonstrators
Scott Bohning; protesting war and SFPD actions during demonstrations
Chris Bowman; support of legislation dissolving of task forces and Elections Commission issues; voter handbook and support of legislation regarding costs of protests
Ben Gertis;unlawful arrests; clarify role of SFPD in demonstrations and that costs should be sent to the Federal Government
Jim Siegel; City tax payer; arrested in protesting and SFPD actions during demonstrations and request DA to drop charges on those arrested to avoid lawsuits
Christine Byer; protesting war; and SFPD actions during demonstrations and request DA to drop charges on those arrested to avoid lawsuits
Mikail Chrishman; protesting war and SFPD actions during demonstrations and request DA to drop charges on those arrested to avoid lawsuits
Carly; arrested in protesting war and SFPD actions during demonstrations
Peter Birsch; arrested as a protestor on March 21, 2003; SFPD actions during demonstrations
Tara Ryan; arrested in protesting war and SFPD actions during demonstrations; let Federal Government pay for costs
Carly Meyer; protesting war; costs associated with demonstrations; hearing on Police spending
Jorge Paralla; arrested in protesting war and SFPD actions during demonstrations
Marc Roderick; protesting war and SFPD actions during demonstrations
Melissa Malerick; arrested in protesting war and SFPD actions during demonstrations
Female Speaker; arrested in protesting war and SFPD actions during demonstrations; civil liberties
Melissa; arrested in protesting war and SFPD actions during demonstrations

Rosa Cabrera; arrested for crossing the street and SFPD actions; taxpayers' money; request that Police Officers be prosecuted
Female Speaker; protesting war and issues surrounding demonstrations
Adam; arrested in protesting war and SFPD actions during demonstrations
Male Speaker; support of African American Reparations Act
James Chaffee; behavior of previous actions of speakers and Board of Supervisors Chamber rules and SF Public Library;
Female Journalist; SFPD actions during demonstrations
A. Duffy; find out who is to blame for issues surrounding demonstrations
Male Speaker; SFPD actions during demonstrations
Male Speaker; SFPD actions during demonstrations
Chris Brad; SFPD actions during demonstrations
Adam; SFPD actions during demonstrations
Andrea; arrested in protesting war and SFPD actions during demonstrations
Stephen; costs for demonstrations

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Defendant

030408 **[Closed Session - Existing Litigation - City as Defendant]**

Motion that the Board of Supervisors convene in closed session with the City Attorney for the purpose of conferring with, or receiving advice from, the City Attorney regarding the following existing litigation in which the plaintiffs, various businesses, are, in sum, challenging the constitutionality of the City's business taxing system. These plaintiffs are also seeking reimbursement of tax payments made to the City.

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning these matters would likely and unavoidably prejudice the position of the City in the pending lawsuits listed below.

1. Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 313-930 (filed July 27, 2000)

2. All Star Consulting, Inc.; Brown & Toland Physician Services Organization; Clark Construction Group, Inc.; Goodby, Silverstein & Partners, Inc.; Hunt Construction Group, Inc.; I Gate Capital/Chen & McGinley; Jessica McClintock, Inc.; Lehman Brothers, Inc.; Macromedia, Inc.; Preferred Trade, Inc.; S&C Motors, Inc.; and Walker Interactive Systems, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 403-250 (filed January 9, 2002)

3. CNET Networks, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 409-891 (filed July 5, 2002)

4. Freeman Decorating, Co. (an Iowa Corp.) and TFC Management, Inc. (a Texas Corp.) v. City and County of San Francisco.
S. F. Superior Court No. 320-869 (filed April 27, 2001)

5. Heller Ehrman White & McAuliffe LLP and Heller Ehrman White & McAuliffe, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 321-383 (filed May 16, 2001)

6. Matson Intermodal Systems, Inc.; Matson Navigation Company, Inc.; Matson Logistics Solutions, Inc.; Plant Construction Company; Plant Construction Company, LP; Rite Aid Corp.; Thrifty Payless, Inc.; and NRT, Inc. v. City and County of San Francisco.
S. F. Superior Court No. 406-452 (filed April 8, 2002)

7. GMAC Commercial Mortgage Corp. v. City and County of San Francisco.
S. F. Superior Court No. 405064 (filed February 28, 2002) (City Attorney)

Supervisor Dufty, seconded by Supervisor Ma, moved to convene in Closed Session. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

Recess

The Board recessed at the hour of 8:51 p.m. to convene in closed session pursuant to the above motion.

Reconvening of the Board

The Board at the hour of 9:05 p.m. reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick - 8

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board of Supervisors has met in closed session with the City Attorney, under the provisions of Government Code Section 54956.9 (a) for the purpose of conferring with, or receiving advice from, the City Attorney regarding the above existing litigation.

Persons in attendance:
Supervisors Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick

Julie Van Nostern, Deputy City Attorney
Owen Maitikan, Deputy City Attorney
Ted Lakey, Deputy City Attorney
Gloria L. Young, Clerk of the Board
Kay Gulbengay, Deputy Clerk

Meeting was informational only and no action was taken.

Heard in Closed Session.

[Elect To Disclose]
Motion that the Board finds it is in the public interest to disclose information discussed in closed session, and directs the President immediately to disclose that information.

[Elect Not to Disclose]
Motion that the Board finds that it is in the best interest of the public that the Board elect at this time not to disclose its closed session deliberations concerning the existing litigation listed above.

Supervisor Daly, seconded by Supervisor McGoldrick, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

CLOSED SESSION

CONFERENCE WITH CITY ATTORNEY - Existing Litigation

City as Plaintiff

030469 **[Closed Session - Existing Litigation - City as Plaintiff]**
Supervisor Dufty

Motion that the Board of Supervisors convene in closed session with the City Attorney and the Mayor for the purpose of conferring with, or receiving advice from, the City Attorney regarding the legal ramifications of mechanisms for funding the following litigation filed by the City and County of San Francisco. The litigation involves allegations of fraudulent practices on the part of City contractors involved in building the new international terminal at San Francisco International Airport.

City and County of San Francisco, et al. v. Tutor-Saliba Corporation, et al.
U.S. District Court No. C 02 5286 filed 11/1/02

Government Code Section 54956.9(a) and San Francisco Administrative Code Section 67.10(d)(1) permit this closed session. Discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the pending litigation listed above.
(Supervisor Dufty)

TABLED by the following vote:

Ayes: 11 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures are introduced for adoption without committee reference. A unanimous vote is required for adoption of a resolution today. Any Supervisor may require any resolution to go to committee.

030421 **[Special Joint Meeting - Board of Supervisors and State Assemblyman Mark Leno]**
Supervisor Maxwell

Motion setting a joint meeting of the Board of Supervisors and State Assemblyman Mark Leno to be held in the Legislative Chamber at City Hall on May 9, 2003, from 1:00 P.M. to 3:00 P.M.

Motion No. M03-53

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030434 **[Commend Senior Survival School's 10th Anniversary]**
Supervisors Ma, Dufty, Daly, Newsom

Resolution commending Senior Survival School on the occasion of its 10th Anniversary.

Supervisors Dufty, Daly and Newsom requested to be added as co-sponsors.

Resolution No. 196-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030435 **[Extend Planning Commission Review Period]**
Supervisor Maxwell

Resolution extending the prescribed time within which the Planning Commission may render its decision on a proposed ordinance to amend Section Maps 8 and 8SU of the Zoning Map of the City and County of San Francisco for the property described as Assessor's Block 3978, Lot 1 (bounded by Rhode Island Street, 17th Street, Kansas Street and Mariposa Street) from M-I (Light Industrial) to NC-3 (Moderate-Scale Neighborhood Commercial District) and the 17th Street and Rhode Island Grocery Store Special Use Subdistrict and a companion ordinance to amend the Planning Code by adding Section 781.10 to create the 17th and Rhode Island Grocery Store Special Use Subdistrict.

Resolution No. 197-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030436 **[Proclaim March 2003 Social Worker Month in SF]**
Supervisors Maxwell, Dufty, Daly, Ma

Resolution commending the recognition of National Professional Social Worker Month and proclaiming March 2003 as Social Worker Month in San Francisco.

Supervisors Daly and Ma requested to be added as co-sponsors.

Resolution No. 198-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030437 **[Endorsing H.R. 40, African-American Reparations Act]**
Supervisors Maxwell, Dufty, Ammiano, Gonzalez, Sandoval, Peskin, Ma, Daly

Resolution endorsing House of Representatives Resolution 40 (H.R.), Congressman John Conyer's African-American Reparations Act.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 199-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030438 **[Assembly Bill 196]**
Supervisors Dufty, Daly

Resolution urging passage of AB 196.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 200-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030439 **[Extend Juvenile Justice Advisory Committee]**
Supervisors Gonzalez, Dufty

Resolution extending the Juvenile Justice Advisory Committee's term of operation for an additional three months.

Supervisor Dufty requested to be added as a co-sponsor.

Resolution No. 201-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030440 **[Proposition N Implementation Plans]**
Supervisors McGoldrick, Newsom

Motion directing the Office of Budget Analyst of the Board of Supervisors to anlyze information submitted by the Director of Human Services and/or the Mayor's Office related to plans for implementation of Proposition N, enacted by the voters in November 2002, by July 1, 2003.

Motion No. M03-54

APPROVED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030441 **[Commend Laborers' International Union of North America]**
Supervisors Sandoval, McGoldrick, Daly, Dufty, Newsom

Resolution commending the Laborers' International Union of North America (LIUNA) for celebrating 100 years of bringing social justice to the American worker.

Supervisors Daly, Dufty and Newsom requested to be added as co-sponsors.

Resolution No. 202-03

ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030442 **[Commend PUC and OMI/Excelsior Beacon Center]**
Supervisor Sandoval

Resolution commending the Public Utilities Commission and the OMI/Excelsior Beacon Center for helping San Francisco residents reduce their water bills by selling high quality, 1.6 Gallons Per Flush Toilets for only $10 on Saturday, April 5 from 8:00 a.m. to 1 p.m. at the Crocker-Amazon Park, Moscow and Geneva.

Resolution No. 203-03

ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030443 **[Senate Bill 333 - Elder Justice Act]**
Supervisors Sandoval, Daly

Resolution urging the 108th Congress to pass SB 333: Elder Justice Act to provide coordination of differing federal, state, and local elder abuse programs to better protect and serve our seniors.

Supervisor Daly requested to be added as a co-sponsor.

Resolution No. 204-03

ADOPTED by the following vote:
Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030444 **[Urge FCC Commissioners to attend a public hearing in SF in April 2003]**
Supervisor Sandoval

Resolution urging the Commissioners of the Federal Communication Commission and Congress members from the Bay Area to attend a public hearing in San Francisco this spring to gather public input on the upcoming changes in rules regarding media ownership by large corporations.

Resolution No. 205-03

ADOPTED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030406 **[Final Map for a 9 Unit Mixed Use Condominium Project]**

Motion approving Final Map of 363 Valencia Street, a Mixed Use Condominium Project, being a subdivision of Lot 11 Assessor's Block No. 3547, and adopting findings pursuant to Planning Code Section 101.1. (Public Works Department)

(No Public Benefit Recipient; DPW Order No. 174,013; District 9.)

Motion No. M03-51

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

030414 **[Needle Exchange Emergency]**

Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell, Dufty

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

Motion No. M03-52

APPROVED by the following vote:

Ayes: 8 - Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell, McGoldrick
Absent: 3 - Newsom, Peskin, Sandoval

Severed From For Adoption Without Committee Reference

Supervisor Maxwell requested that this matter be severed so that it could be considered separately.

030417 **[Hunters Point Shipyard Development Authority]**

Supervisors Maxwell, Dufty, Newsom

Resolution urging the California Legislature to enact the Hunters Point Shipyard Development Authority Act of 2003.

Supervisor Maxwell requested that this matter be referred to Committee.

REFERRED to the Land Use Committee.

OFF-AGENDA LEGISLATION

Introduced by Supervisors or Mayor

Ordinances

030423 **[Establishing the powers and duties of the Small Business Commission]**

Ordinance amending the San Francisco Administrative Code by adding Section 2A.240, to list the powers and duties of the Small Business Commission, and by repealing Sections 5.120, 5.121, and 5.122, dealing with the former Small Business Commission, and by re-numbering Section 10.100-129 as Section 10.100-333, and providing that the ordinance shall only take effect if a charter amendment creating a Small Business Commission in the Charter is adopted at the November 2003 election.

(Fiscal impact; Companion measure to File 030426.)
.Amendment
(3/25/03 in Board: Supervisor Daly submitted a substitute ordinance, correcting an error in the short title.)
3/18/03, ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/17/2003.
3/25/03, SUBSTITUTED. Supervisor Daly submitted a substitute ordinance, correcting an error in the short title.
3/25/03, ASSIGNED to Rules Committee.

030476 **[Construction Site Sign Requirements]**
Supervisor Peskin

Ordinance amending the San Francisco Traffic Code Section 33.1 and Public Works Code Section 724.3 relating to sign and placard requirements at construction sites.
3/25/03, ASSIGNED UNDER 30 DAY RULE to City Services Committee, expires on 4/24/2003.

030478 **[Settlement of Lawsuit - Heller Ehrman White & McAuliffe LLP]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Heller Ehrman White & McAuliffe LLP, a Limited Liability Partnership, and Heller Ehrman White & McAuliffe, a California Professional Corporation, against the City and County of San Francisco for $153,000.00; the lawsuit was filed on May 16, 2001 in San Francisco Superior Court, Case No. 321-383; entitled Heller Ehrman White & McAuliffe LLP, et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)
3/26/03, RECEIVED AND ASSIGNED to Rules Committee.

030479 **[Settlement of Lawsuit - CNET Networks, Inc.]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by CNET Networks, Inc., against the City and County of San Francisco for $137,541.00; the lawsuit was filed on July 5, 2002 in San Francisco Superior Court, Case No. 409-891; entitled CNET Networks, Inc. v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)
3/26/03, RECEIVED AND ASSIGNED to Rules Committee.

030480 **[Settlement of Lawsuit - Freeman Decorating Co. and TFC Management, Inc.]**
Supervisor Gonzalez

Ordinance authorizing settlement of the lawsuit filed by Freeman Decorating Co. and TFC Management, Inc., against the City and County of San Francisco for $37,500.00; the lawsuit was filed on April 27, 2001 in San Francisco Superior Court, Case No. 320-869; entitled Freeman Decorating Co., et al., v. City and County of San Francisco; the settlement includes any claims for the 2000 tax year.

(Public Benefit Recipient.)
3/25/03, RECEIVED AND ASSIGNED to Rules Committee.

030481 **[Authorization to make a binding settlement offer - Federated Western Properties, Inc.]**
Supervisor Gonzalez

Ordinance authorizing the City Attorney to make an offer to allow judgment pursuant to California Code of Civil Procedure Section 998 in Macy's West, Inc.; Federated Western Properties, Inc. (successor in interest to Broadway Stores, Inc., dba Macy's); Federated Systems Group, Inc.; Macy's.com, Inc. v. City and County of San Francisco San Francisco Superior Court No. 313930, for a total amount not to exceed $3,300,000.00; and in no event any amount that would create liability to the City pursuant to the Most Favored Nations Clause in the General Motors Corporation v. City and County of San Francisco San Francisco Superior Court No. 301510 (Court of Appeal No. A091914) and Eastman Kodak Company v. City and County of San Francisco San Francisco Superior Court No. 302983 (Court of Appeal No. A091910) ("GM cases") Settlement Agreements.

(Public Benefit Recipient.)
3/26/03, RECEIVED AND ASSIGNED to Rules Committee.

030482 **[Administrative Penalties for Littering and Specified Nuisance Violations]**
Supervisors McGoldrick, Peskin, Maxwell

Ordinance amending Sections 37, 38, and 63 of the Police Code, Sections 41.13, 283.1, 287 and 581 of the Health Code and Sections 170, 173, 174, 174.2, 184.63, and 724.4 of the Public Works Code to authorize the assessment of administrative penalties as an alternative to infractions for littering and specified nuisance violations; amending the Police Code by adding a new Section 39-1 to establish procedures for the imposition, review and collection of administrative penalties.
3/26/03, RECEIVED AND ASSIGNED to Budget Committee.

030483 **[Recognition of marriages, domestic partnerships and civil unions]**
Supervisors Daly, Dufty, Ammiano, Gonzalez, Peskin, McGoldrick, Newsom

Ordinance amending Chapter 62 of the Administrative Code by adding Section 62.10 to extend recognition of domestic partnerships, civil unions, and other similar legal relationships to persons who lawfully enter into these agreements in other jurisdictions.
3/25/03, RECEIVED AND ASSIGNED to Rules Committee.

030485 **[Changing Official Width of Sidewalk - Masonic north of Haight Street]**
Supervisor Gonzalez

Ordinance amending Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto Section 15__ to change the official sidewalk width on the west side of Masonic north of Haight Street; making findings pursuant to the General Plan and Planning Code Section 101.1; and requiring relocation, modification, or both of facilities affected by the sidewalk width changes.
3/25/03, RECEIVED AND ASSIGNED to Land Use Committee.

Resolutions

030486 **[Sidewalk Width Change on Masonic north of Haight Street]**
Supervisor Gonzalez

Resolution urging the Department of Public Works to initiate the process for a sidewalk width change on the west side of Masonic approximately 75 feet north of Haight Street to accommodate installation of a JC Decaux public toilet facility and taking all other actions necessary to effectuate the intent of this Resolution.

(Companion measure to File 030485.)
3/25/03, RECEIVED AND ASSIGNED to Land Use Committee.

030490 **[SFUSD Facilities Master Plan]**
Supervisors Ammiano, Maxwell, Ma, Dufty, Newsom

Resolution urging the Department of Public Works (DPW) and the City Architect, in consultation with the San Francisco Unified School District (SFUSD), to suggest possible options for DPW assistance in providing expertise and services to the School District regarding facility repairs and managing construction projects pursuant to the SFUSD Facilities Master Plan.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030491 **[School District Contract for Bus Service]**
Supervisors Ammiano, Maxwell, Ma, Dufty, Newsom

Resolution urging the Municipal Transportation Agency and the San Francisco Unified School District, in consultation with the San Francisco County Transportation Authority, to coordinate on a process by which the Municipal Transportation Agency would, as an expert consultant to the School District, (1) review current expenditures, routing and vehicles used under the School District's bus transportation service contract, (2) assist the School District in formulating future Requests for Proposals for such services, (3) advise the School District on overseeing the contract for such services, including overseeing the contractor's routing decisions, (4) assist the School District in analyzing school bus emissions and alternative fuel bus technology options for transportation services, and (5) review MUNI routing and schedules on lines frequently used by K-12 students going to and from school.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030492 **[District Attorney Prosecutions]**
Supervisor Hall

Resolution urging the District Attorney to prosecute to the fullest extent allowed under the law those arrested on March 20, 2003 and subsequent days who flagrantly and/or repeatedly violated the law for blocking traffic and failing to follow police orders.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030493 **[City Attorney Pursuit of Costs Associated with Protests]**
Supervisor Hall

Resolution urging the Police Department to itemize their expenses associated with the March 20, 21, and 22, 2003 protests and forward that information on to the City Attorney; and, urging the City Attorney to pursue all legal remedies against those responsible for organizing these crippling demonstrations in order to recover the costs incurred by the City and County of San Francisco that resulted.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030494 **[Code Enforcement for Residential Housing]**
Supervisors Hall, Dufty, Newsom

Resolution authorizing the San Francisco Department of Building Inspection, Housing Inspection Services Division, in conjunction with other relevant municipal code compliance and enforcement departments of the City and County of San Francisco, to apply for, accept, administer and expend funding from the State of California's Department of Housing and Community Development, Division of Codes and Standards, in order to launch a web-based inventory of annotated digital photography documentation of Housing Code violations to be mutually contributed to and shared amongst and between City and County departments charged with compliance with and enforcement of San Francisco Municipal Code requirements for residential housing.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030495 **[Prohibiting Motor Vehicle on Brant Alley]**
Supervisor Peskin

Resolution prohibiting motor vehicle traffic on Brant Alley.

(4/21/03: Categorically exempt from Environmental Review Class 1(c)(9) changes in the traffic and parking regulations where such changes do not establish a higher speed limit or result in more than a negligible increase in the use of the street.)
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030496 **[Relocation of Laundry Services to Oyster Point]**
Supervisors Peskin, Daly, Dufty

Resolution urging the Department of Administrative Services and other City departments to expeditiously implement the relocation of laundry services for San Francisco General Hospital and Laguna Honda Hospital to the laundry facility at Oyster Point.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030497 **[Accept-Expend Federal/State Grant - $555,000]**
Supervisors Daly, Peskin, Dufty, Ma, Newsom

Resolution authorizing the Executive Director of the Department of Parking and Traffic and the Director of the Department of Public Works to accept and expend up to $555,000 in federal and state grant funds to implement the West Approach Overhead Signage Project in the City and County of San Francisco.

(No Public Benefit Recipient.)
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

030477 **[Hearing - Budget Committee Special Off-site Meetings]**
Hearing before the full Board of Supervisors to consider motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget. (Clerk of the Board)
3/25/03, ASSIGNED to Board of Supervisors. Pursuant to File 030499, Board to sit as a Committee of the Whole on April 8, 2003, at 3:00 PM.

030487 **[Thurgood Marshall]**
Supervisor Ammiano

Hearing, updating the outcome of the events that occurred at Thurgood Marshall.
3/25/03, RECEIVED AND ASSIGNED to City and School District Select Committee.

030488 **[Fiscal impacts of Police response during S.F. demonstrations]**
Supervisor Gonzalez

Hearing to discuss the fiscal impacts of Police response during the recent San Francisco peace demonstrations.
3/25/03, RECEIVED AND ASSIGNED to Budget Committee.

030489 **[Summer program for out-of-school youth]**
Supervisors Ma, Dufty, Newsom

Hearing to identify potential summer program opportunities for out-of-school youth.
3/25/03, RECEIVED AND ASSIGNED to City Services Committee.

Motions

030498 **[Committee of the Whole]**
Supervisor Daly

Motion scheduling a Committee of the Whole to consider the motion to schedule special off-site meetings of the Budget Committee, to be held on April 1st at 3:00 P.M.
3/25/03, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

030499 **[Off-Site Budget Committee Meetings]**
Supervisor Daly

Motion scheduling special off-site meetings of the Budget Committee for the purpose of receiving community input on the City and County of San Francisco's 2003-2004 Budget.

(April 21st at the Harvey Milk Recreational Center located on 50 Scott Street,
April 24th at Joseph Lee Recreation Center located on 1395 Mendell Street,
April 28th at Who Hei Yuen Club House located on 922 Jackson Street,
May 1st at the Golden Gate Park Senior Center located on 6101 Fulton Street,
May 8th at the Sunset Recreation Center located on 28th & Lawton Streets,
May 12th at Bernal Heights Recreation Center located on 500 Moultrie Street.)
3/25/03, ASSIGNED to Board of Supervisors. Board to sit as a Committee of the Whole on April 8, 2003, at 3:00 PM.

PROPOSED ORDINANCES

PROPOSED RESOLUTIONS

030396 **[Accept/Expend Federal Funding - McKinney 2002 Continuum of Care Homeless Assistance Programs]**
Supervisor Dufty

Resolution authorizing the Department of Human Services to accept and expend a grant in the amount of $1,916,317 from the U.S. Department of Housing and Urban Development for the McKinney Continuum of Care Homeless Assistance Programs. (Human Services Department)

3/11/03, RECEIVED AND ASSIGNED to City Services Committee.

030397 **[Accept-Expend State Grant - Supportive Housing Initiative Act]**
Supervisors Newsom, Dufty, Daly

Resolution authorizing the Department of Human Services to retroactively accept and expend a grant in the amount of $708,761 from the California Department Of Mental Health Supportive Housing Initiative Act for supportive housing targeting adults with disabilities. (Human Services Department)

(No Public Benefit Recipient.)

3/11/03, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Newsom requested to be added as sponsor.

030398 **[Lease of Real Property]**

Resolution approving and authorizing a lease between the City and County of San Francisco, as lessee, and Mannar Investment Company, a California Limited Partnership, as lessor, of warehouse space at 2348 Jerrold Avenue, San Francisco. (Real Estate Department)

(Public Benefit Recipient; District 10.)

3/11/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030400 **[Approval of Lease Amendment for Waterfront Restaurant]**

Resolution approving Fourth Lease Amendment to Port Lease No. L-11859 between the Port Commission and Bundox Restaurant, Inc., a California corporation ("Tenant") for the lease of real property commonly known as the Waterfront Restaurant. (Port)

(Public Benefit Recipient.)

3/12/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030404 **[Modification to the Professional Service Agreement for North & South International Parking Garages, Concourse H/Airport BART Station and Rental Car Facility]**

Resolution approving Modification No. 3, the Close-out Modification, of Professional Services Agreement for Contract No. 5600AE - North & South Int'l Parking Garages, Concourse H/Airport BART Station and Rental Car Facility with ED2 Int'l/MBT Architecture Joint Venture Architects in the amount of $1,236,926, for a new total contract amount of $23,469,626. (Airport Commission)

(Fiscal impact; No Public Benefit Recipient.)

3/14/03, RECEIVED AND ASSIGNED to Finance and Audits Committee.

030405 **[Accept-Expend Grant for Sunol Valley Fluoridation Facility]**

Resolution authorizing the Public Utilities Commission to accept and expend a grant in the amount of $250,000 from the California Dental Association Foundation, Inc. for the design and construction of the Sunol Valley Fluoridation Facility. (Public Utilities Commission)

(No Public Benefit Recipient.)

3/12/03, RECEIVED AND ASSIGNED to City Services Committee.

030407 **[Expand behavioral health services system of care for children and youth in San Francisco]**
Supervisors Dufty, Ma, Newsom

Resolution authorizing the San Francisco Department of Public Health (SFDPH) to accept and expend retroactively a grant in the amount of $1,000,000 for the first year of a six year grant from the Substance Abuse and Mental Health Services Administration (SAMHSA) to establish a comprehensive system of behavioral health services to children and youth in San Francisco and to enter into an agreement for the use of these funds; for the period of September 30, 2002 to September 29, 2003. (Public Health Department)

(Public Benefit Recipient.)

3/17/03, RECEIVED AND ASSIGNED to City Services Committee.

3/24/03, REFERRED TO DEPARTMENT. Referred to Youth Commission for review and comment.

Supervisor Dufty requested to be added as sponsor.
Supervisor Ma requested to be added as a co-sponsor.

030409 **[Grants Federal Funds - Municipal Railway]**
Supervisors Newsom, Dufty

Resolution authorizing the Municipal Transportation Agency to accept and expend $3,960,116 of federal earmarked capital assistance for MUNI's Particulate Matter Traps Procurement and Natural Gas Facility Rehabilitation Project. (Municipal Transportation Agency)

(No Public Benefit Recipient.)

3/17/03, RECEIVED AND ASSIGNED to City Services Committee.

Supervisor Newsom requested to be added as sponsor.

Requests Granted

From: Supervisors Ammiano, Dufty
To: Superintendent, San Francisco Unified School District
Director, Public Works
Director, Department of the Environment
Director, Department of Public Health
City Attorney
Requesting/Inquiring: Inquiring about the following:

1. Development of a waste and recycling audit strategy, including service level analysis, for SFUSD facilities, to develop baseline information for a new Request for Proposals for refuse and recycling collection service for the SFUSD; and

2. A plan for City departments and the City Attorney to provide assistance with drafting of a Request for Proposals to rebid garbage and recycling service at the expiration of the District's current contract with Norcal Waste Systems (11/03), if desired by the District.

From: Supervisor Ammiano
To: Office of the Clerk of the Board
Requesting/Inquiring: Requesting a hearing at the Land Use Committee updating the outcome of the events that occurred at Thurgood Marshall.

From: Supervisor Daly
To: City Attorney
Requesting/Inquiring: To draft an ordinance to require that tenants be provided with a reasonable number of keys by their landlords.

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: To draft legislation requiring cellular phone carriers who have antennae in San Francisco to route all 911 calls directly to San Francisco's 911 center.

From: Supervisor Hall
To: All City Departments
Requesting/Inquiring: To please itemize the costs your department incurred as a result of last week's protest.

From: Supervisor Hall
To: District Attorney
Requesting/Inquiring: To report on the following:

1. How many citations were issued on March 20, 21, and 22, 2003?
2. How many received more than one citation?
3. How many misdemeanor citations versus felony citations were issued?
4. Of the citations issued, how many will the DA pursue? Please explain why the District Attorney will or will not pursue these cases?
5. If the District Attorney does not intend to pursue any of these cases, should the Police Department set new guidelines for arrests? What is the point for the Police to exert effort and spend overtime if nothing is going to happen once they have done their job?
6. What are the penalties for the actions that were committed - can fines be imposed, can community service

be imposed?
7. If fines can be imposed, can that money be used to repay the City's general fund?

From: Supervisor Hall
To: City Attorney
Requesting/Inquiring: What, if any, legal recourse does the City have against the organizers of the protests to recoup its costs associated with the protests?

From: Supervisor McGoldrick
To: Office of the Controller
All City Departments
Requesting/Inquiring: Please read attached letter concerning analysis of the City's risk management efforts and a review of best practices in this area.

From Supervisor McGoldrick
To: All City Departments
Requesting/Inquiring: Recent events have highlighted the issue of whether the City's procedures governing risk management for departments are consistent with best practices by local governments. Within the context of a huge budget shortfall, it is crucial that we as a City examine how we manage risks associated with many departmental functions. There are many examples of risk management practices that could help the City limit its risks and save money that may otherwise be paid out in claims against the City, such as employment disputes, Muni traffic accidents, slip and fall incidents, police officer conduct, and other aspects of liability for which the City may bear some responsibility.

I am requesting that you identify any systematic efforts by your department to identify, evaluate, address, mitigate, and monitor risks associated with departmental activities.
Does your department currently undertake their own analysis of these issues?
If such functions are performed within your department, please identify the positions and resources dedicated to performing these functions.
Is such departmental analysis handled in centralized office within your department?
Does your department report to any centralized citywide office concerning such risk management efforts?
What agencies within City government support your department's efforts to perform these functions, and in what way are they supported?
How is risk assessed by your department on large projects or projects that cut across departmental jurisdictions and on which you must coordinate with other City departments?
Does the City keep a centralized database that would identify and prioritize risks borne by City agencies?
What role does the Office of City Attorney play in your risk management efforts?
Once risks are identified and assessed, what processes are in place to change departmental policies and practices that could mitigate such risks?

The Controller's Office will be undertaking a review of best practices for risk management processes for local government. Please also copy your responses to this inquiry to Monique Zmuda of that office. I believe that the analysis performed as a result of these inquiries will guide our efforts to improve and reform risk management for entire City government in the future.

Thank you for your cooperation in this effort.

In Memoriams

David McGuire (Supervisors Daly, Newsom, Peskin)
Helene Gordon (Supervisor Dufty)
Rachel Corrie (Supervisor Gonzalez)
Alfonso Acampora (Supervisor Newsom)

ADJOURNMENT

There being no further business, the Board at the hour of 9:17 p.m. adjourned.

Gloria L. Young, Clerk of the Board

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on April 15, 2003.

I, Gloria L. Young, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Minutes of said Board on the date stated and was approved as recited.

Gloria L. Young
Clerk of the Board

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